

THE ENQUIRER

SCHOOL SUBSTITUTE WAS NOT CERTIFIED, AUDITOR SAYS

The state auditor is "alarmed" after two local school districts hired a substitute who was not certified.

PARKED VEHICLES WOULDN'T BE CITED FOR MISSING FRONT PLATE

Those who want to eliminate Ohio's front license plate gained an inch Thursday.

GOP EFFORT COULD AX PREVAILING WAGE RULE FOR CONSTRUCTION

WORKERS

Ohio's cities, townships and counties could decide to pay construction workers less than the state-mandated prevailing wage under a new GOP proposal – one that a union leader says abandons the blue-collar mandate from the election of President Donald Trump.

THE BLADE

(One of Northwest Ohio's Great Newspapers)

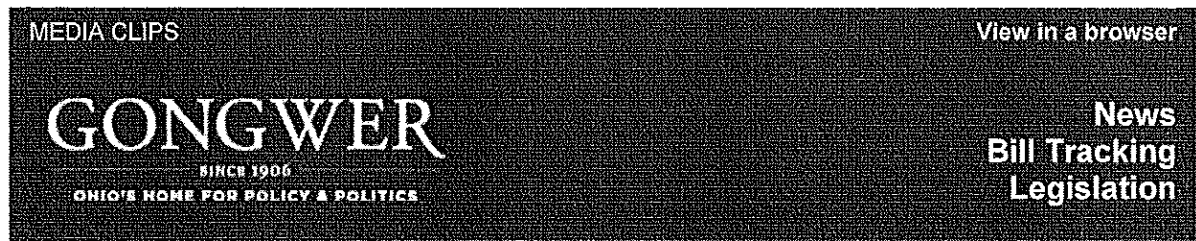
LT. GOV. TAYLOR ANNOUNCES BID FOR GOVERNOR

Lt. Gov. Mary Taylor, who has the support of current boss Gov. John Kasich, formed a committee Thursday for her own run for governor in 2018.

BUDGET PROVISION WOULD CUT VEHICLE FEES IN COUNTY

A portion of registration fees imposed on commercial vehicles would be cut in Lucas and three other counties, as part of an experiment to see if more trucks register in Ohio as a result, under a proposal headed for a House of Representatives vote next week.

From: Gongwer News Service
Sent: Friday, February 24, 2017 5:32 AM
To: Derksen, Nick
Subject: Ohio Media Clips, Friday, February 24



NEWS

GOP effort could ax prevailing wage for workers (Cincinnati Enquirer, 2/24/2017)

Hundreds gather to protest Mitch McConnell and Donald Trump (Cincinnati Enquirer, 2/24/2017)

2018 Ohio governor's race gets more 'official' with Mary Taylor: Ohio Politics Roundup (Cleveland Plain Dealer, 2/24/2017)

Halt Ohio's ESSA plan until state testing is cut, 150 angry educators, officials tell state (Cleveland Plain Dealer, 2/24/2017)

Indivisible town hall attendees take on the absent Rob Portman at Cleveland church (Cleveland Plain Dealer, 2/24/2017)

Ohio cities could stop paying prevailing wage to construction workers under proposed bill (Cleveland Plain Dealer, 2/24/2017)

Proposed limits for medical marijuana supply in Ohio among strictest (Cleveland Plain Dealer, 2/24/2017)

Sean Spicer headlining D.C. fundraiser for Ohio Sen. Frank LaRose (Cleveland Plain Dealer, 2/24/2017)

Buckeye, Cheesehead leaders team up to tackle Trump-era challenges (Columbus Dispatch, 2/24/2017)

GOP leaders oppose teacher 'externship' plan (Columbus Dispatch, 2/24/2017)

Kasich summoned to help craft Medicaid solution amid Obamacare repeal (Columbus Dispatch, 2/24/2017)

Mary Taylor now formally governor candidate (Columbus Dispatch, 2/24/2017)

Natural gas tax kicked from budget (Columbus Dispatch, 2/24/2017)

Trump's transgender policy won't change how most local schools operate (Columbus Dispatch, 2/24/2017)

Who really stopped Dems from attending Portman speech? (Columbus Dispatch, 2/24/2017)

Bills would streamline prescription process for Ohio patients (Dayton Daily News, 2/24/2017)

John Boehner: Repealing Obamacare just 'happy talk' (Dayton Daily News, 2/24/2017)

New rules set for medical marijuana use in Ohio (Dayton Daily News, 2/24/2017)

Gun silencer bills could spark sales (Toledo Blade, 2/24/2017)

Report finds \$1B in savings in higher ed (Toledo Blade, 2/24/2017)

EDITORIALS

Deportation force, as pledged (Akron Beacon Journal, 2/24/2017)

Editorial: Talking is better than dodging (Columbus Dispatch, 2/24/2017)

Portman under wraps (Toledo Blade, 2/24/2017)

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Sent: Friday, February 24, 2017 11:02 AM
To: Derksen, Nick
Subject: Rotunda Insider for February 24, 2017



Hannah

ROTUNDA INSIDER

Friday, February 24, 2017

Kasich Asked to Help with Medicaid Expansion in Obamacare Repeal

Gov. John Kasich has been asked by congressional Republicans to help create a potential Medicaid replacement plan as President Donald Trump and congressional leaders explore repealing and replacing the Affordable Care Act, the *Columbus Dispatch* reports.

<http://www.dispatch.com/news/20170224/kasich-summoned-to-help-craft-medicaid-solution-amid-obamacare-repeal>

Huffman Proposal Would Give Local Governments Out on Prevailing Wage

Sen. Matt Huffman (R-Lima) is expected to introduce legislation that would allow local governments to vote to not require that prevailing wage be paid on local construction projects, which he said would save costs. Union representatives tell the *Cincinnati Enquirer* that the proposal adds to the frustration of blue collar workers in Ohio.

<http://www.cincinnati.com/story/news/politics/2017/02/24/ohio-gop-prevailing-wage-construction-workers-unions-right-to-work/98309916/>

Boehner Predicts Unsuccessful Effort to Completely Repeal Obamacare

Former U.S. House Speaker John Boehner expressed doubts that congressional Republicans will repeal the Affordable Care Act completely because they will not be able to agree on a replacement, the *Columbus Dispatch* reports. He predicted at a health conference that most of the health law "is going to stay there," including allow younger Americans to stay on their parents' health insurance plans longer.

<http://www.dispatch.com/news/20170223/boehner-predicts-gop-will-repair-not-replace-obamacare>

Hannah News Service, 21 W. Broad Street, Suite 1000, Columbus, OH 43215

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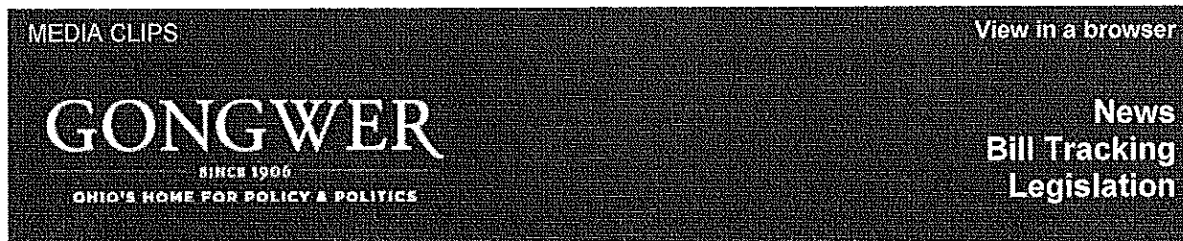
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Sent: Monday, February 27, 2017 5:31 AM
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Subject: Ohio Media Clips, Monday, February 27



NEWS

Kasich cleared to give State of the State speech in Sandusky (Akron Beacon Journal, 2/27/2017)

Ohio bill outlawing marital rape gets no GOP support, again (Akron Beacon Journal, 2/27/2017)

After bitter feud, Kasich and Trump try to mend fences (Cincinnati Enquirer, 2/27/2017)

Kasich budget assumes Cincinnati could raise more taxes (Cincinnati Enquirer, 2/27/2017)

Kasich to GOP: Full Obamacare repeal 'not acceptable' (Cincinnati Enquirer, 2/27/2017)

Portman denies keeping Democrats out of political event (Cincinnati Enquirer, 2/27/2017)

Gov. John Kasich and Rep. Jim Jordan duel on TV over Obamacare repeal (Cleveland Plain Dealer, 2/27/2017)

Gov. John Kasich talks with President Trump about reforming Obamacare (Cleveland Plain Dealer, 2/27/2017)

Ohio congress members seek investigation of Jewish community center bomb threats (Cleveland Plain Dealer, 2/27/2017)

Tom Gunlock, former state school board president, leaves board (Cleveland Plain Dealer, 2/27/2017)

Capitol Insider: Kasich can relate to Trump's kerfuffles (Columbus Dispatch, 2/27/2017)

Grass-roots foes of Trump, GOP make noise in Ohio (Columbus Dispatch, 2/27/2017)

Kasich says town hall protests might be getting through to Capitol Hill (Columbus Dispatch, 2/27/2017)

Kasich, GOP at odds over Medicaid coverage (Columbus Dispatch, 2/27/2017)

Ohio may pay counties to take inmates off its hands (Columbus Dispatch, 2/27/2017)

Trump has many believers in small-town Ohio (Columbus Dispatch, 2/27/2017)

Kasich fights for federal health care funds (Dayton Daily News, 2/27/2017)

Local governments told to 'open books' (Toledo Blade, 2/27/2017)

Ohio officers tasked with keeping race, gender data (Toledo Blade, 2/27/2017)

EDITORIALS

A better death penalty for Ohio (Akron Beacon Journal, 2/27/2017)

Bickering over Gov. Kasich's traveling State of the State passes for political discourse in Ohio: Thomas Suddes (Cleveland Plain Dealer, 2/27/2017)

Keep defending Ohio Medicaid expansion, Gov. Kasich: editorial (Cleveland Plain Dealer, 2/27/2017)

Editorial: Victims seek more court leverage (Columbus Dispatch, 2/27/2017)

Governor got this right (Toledo Blade, 2/27/2017)

Right-to-work law still totally wrong for Ohio (Youngstown Vindicator, 2/27/2017)

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From: Ohio House Republican Communications
Sent: Monday, March 6, 2017 1:56 PM
Subject: GOP Week in Review 2/27/17 – 3/5/17



OHIO HOUSE OF REPRESENTATIVES

Majority Communications Department

GOP Week in Review

2/27/17 – 3/5/17

The Lima News: McColley helps pass state transportation budget

McColley also chairs the House Finance Subcommittee on Transportation, which played a key role in crafting the bill. "House Bill 26 strikes a balance between financing Ohio's transportation priorities while being a responsible watchdog of taxpayer dollars," he said. "A lot of creative ideas and input went into the crafting of this budget, and I am confident that it will help Ohio meet its infrastructure needs in the future."

Gallipolis Daily Tribune: Ohio House passes transportation budget

"This infrastructure package is an important step to rebuild our communities," said House Finance Chair Ryan Smith (R-Bidwell). "The transportation budget makes an investment of \$7.8 billion that will maintain our roads and improve our economic competitiveness."

Cincinnati Business Courier: Cincinnati could reap big benefits from Ohio transportation bill

"We all know there's not enough money to do everything we need to do," said Rep. Doug Green, R-Mount Orab, chairman of the House's transportation committee.

Toledo Blade: Ohio House approves \$7.8B for transportation

"This is a declining revenue source," said Rep. Robert McColley (R, Napoleon), the bill's sponsor. "Ohioans are paying less gas tax now than they have in years past. It's actually getting below the \$8 billion mark."

Circleville Herald: Rep. Scherer Votes for State Transportation Budget

"I am pleased with the passage and to be a co-sponsor of the transportation budget," said Scherer. "This passage allows for us to put funding back into our state's infrastructure and continue growth all across the state of Ohio."

The Morning Journal: Ohio lawmaker's highway bill aims to reach suffering veterans

State Rep. Steve Hambley says it could help remind veterans suffering from post-traumatic stress disorder to reach out for help.

The Morning Journal: Ohio House approves bill on protective orders for dating violence

Rep. Emelia Strong Sykes, an Akron Democrat, and Rep. Nathan Manning, a North Ridgeville Republican, are sponsoring the bill.

Youngstown Vindicator: Pharmacists could offer much cheaper version of EpiPen if Ohio bill becomes law

The Blade reports the bill introduced last week by state Rep. Derek Merrin would allow substitution only with the patient's permission. Doctors still can insist on the brand-name EpiPen. Merrin, a Republican, says he sees the bill as a national model, "free-market solution" to the Mylan pricing issue.

The Morning Journal: Ohio Rep. Wes Retherford reintroduces bill aimed at curbing elder abuse

State Rep. Wes Retherford's Elder Justice Act unanimously cleared the Ohio House last year. ... Retherford, a Hamilton Republican, said changes have been made to the bill to address the issues raised.

Dayton Daily News: Butler County lawmaker re-introduces elder abuse bill

Retherford said he and now former Ohio Rep. Mike Dovilla, R-Berea, moved in 2014 to put a \$10 million appropriation for Adult Protective Services in the Mid-Biennium Review bill in anticipation of the Elder Justice Act "because that was the number one concern we heard back." = 4

Cincinnati Enquirer: Guest column from Rep. John Becker: New right-to-work bill restores workers' rights

It's about freedom. I authored Ohio House Bill 53 to restore the freedom of association to public-sector employees. This right-to-work legislation provides public-sector workers the freedom to opt out of union representation and dues. A private sector right to work bill will soon be introduced by one of my colleagues in the Ohio House of Representatives.

Mount Vernon News: Goodwill opens in Fredericktown

Rick Carfagna, State Representative of House District 68, was there to give the store an official welcome from the Ohio House of Representatives.

The Findlay Courier: Editorial: SNAP fraud

Two lawmakers, Rep. Tim Schaffer, R-Lancaster, and Sen. Matt Huffman, R-Lima, have proposed legislation that would add photos to food stamp EBT cards in an effort to

reduce "trafficking," in which recipients swap SNAP benefits for money. The bills are worth consideration.

Van Wert Independent: State legislators meet with SWCD staff

State Representative Craig Riedel and State Senator Cliff Hite met this past week with representatives of the Van Wert County Soil and Water Conservation District (SWCD) at the recent annual "Conservation Partnership Meeting" held in downtown Columbus.

The Morrow County Sentinel: Mount Gilead High School seniors engage education experts in discussion

Ohio House Representative from District 87, Wesley A. Goodman also discussed state and national perspectives on education with the students.

Record Herald: Guest column from Speaker Cliff Rosenberger: Coming together to celebrate Ohio history

It is no secret that I am a history enthusiast, especially when it comes to the stories of our state and nation. This week marked Ohio's 214th birthday, 214 years since its official induction into the United States.

Circleville Herald: Rep. Scherer honors essay winner

"I was honored to be able to recognize Kalila for her tremendous work in this competition and I was pleased to be able to discuss her passion for the issues she addressed in her writing piece," Scherer said.

Sentinel-Tribune: Gavarone appointed to House Finance Committee

"I am honored by the speaker's decision to appoint me to House Finance Committee," Gavarone said. "I am excited to work with Chairman Smith and the other members of the Finance Committee as we move towards delivering a budget that benefits all citizens of Ohio."

Salem News: State Representative honors Wilson as state champion

"It was an absolute privilege to honor Jared with a resolution today," Ginter said. "Jared is a tremendously talented golfer, but also a very dedicated student for which he should be commended. I believe that Jared has a very bright future ahead."

Record Herald: Peterson discusses tax policy with municipal leaders

"It's important that we, as members of the House and Senate continue to meet with the representatives of our local municipalities, especially during the budget season," said Representative Anielski. "Hearing their concerns allows us to craft a better, more responsive budget for the state of Ohio that works well on every level of governance."

WCMH: Ohio lawmakers hold first hearing on 'Judy's Law'

"The judge and the prosecutor did their job the best they could under current law," Hughes said. "It's now time for us in the legislature to do our job to ensure that victims like Judy receive the justice they deserve."

WSPD: Ohio lawmakers want harsher penalties for distracted driving

"Law enforcement at that time would determine that distracted driving was the cause of the primary or contributing factor. The law enforcement officer could then charge an additional charge on with that which would be a minor misdemeanor," Hughes says.

From: NCSL TODAY

Sent: Friday, May 26, 2017 8:12 AM

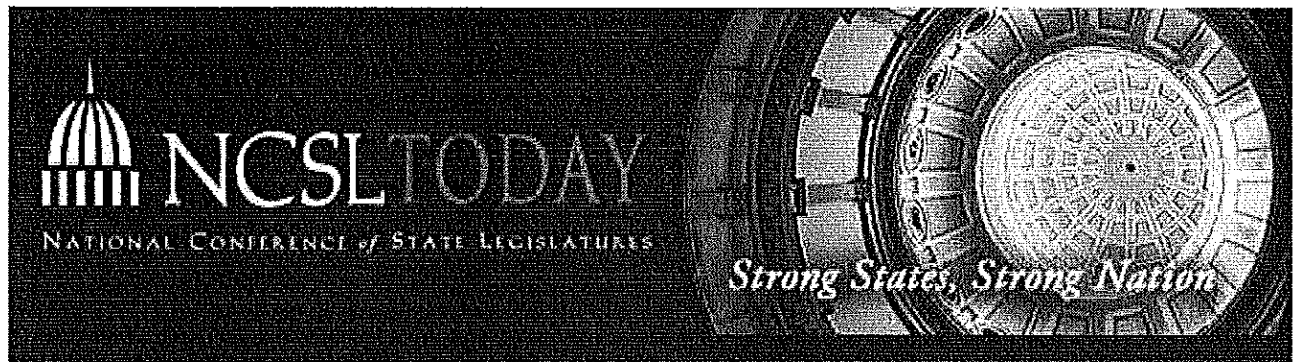
To: Derksen, Nick

Subject: How Trump's health budget would impact states

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TOP NEWS May 26, 2017

How Trump's health budget would impact states

Governing

Medicaid, children's health insurance and chronic disease programs would be first to feel the weight of the president's proposals.

Wisconsin seeks to be first to drug test Medicaid applicants

Associated Press

Gov. Scott Walker wants to make Wisconsin the first state in the country to require childless adults applying for Medicaid to undergo drug screening, a move that could serve as a national model. **NCSL research cited.**

Lawsuit asks judge to block Kentucky's right-to-work law

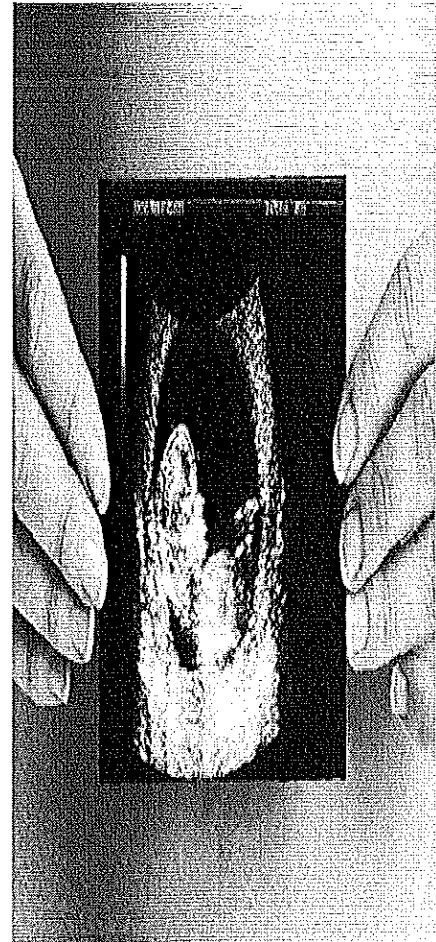
Associated Press

Organized labor struck back Thursday against Kentucky's right-to-work law, filing a lawsuit that claims the ban on mandatory union fees in workplaces violates the state's Constitution.

Montana revenues are falling behind projections

The Missoulian

State tax collections are 3.8 percent lower than legislators predicted when they built the two-year budget, which could trigger cuts to programs and services at the end of fiscal year 2017.



JOURNALISM

State Legislatures magazine: Walking a tightrope

States are balancing the rights of addicted women with the health needs of their developing babies.

NEWS IN NCSL

Indiana lawmakers to study state's alcohol laws

Associated Press

Legislative leaders formally announced Thursday that they will form a study commission to look at ways to overhaul Indiana's antiquated and confounding alcohol laws.

Departing from 'sanctuary cities,' some sheriffs embrace immigration enforcement role

Stateline

A variety of local officials, from conservative sheriffs in Texas to a liberal county executive in New Jersey, are embracing a vigorous form of local immigration enforcement.

Register for Legislative Summit by June 1 to get the Early Bird rate

Plugged In energy newsletter

Child welfare newsletter



State Legislatures magazine: Big data can work for you

Some say the only thing governments are good at is collecting taxes. Truth is, they're even better at collecting data. They collect so much, in fact, that the challenge for states is figuring out how best to use it all, as NCSL's Allison Hiltz reports in this month's State Legislatures magazine.



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From: Money, Geo (1853)
Sent: Wednesday, June 7, 2017 7:40 AM
To: Derksen, Nick
Subject: RE: H.B. 170 Article - Gongwer

Thanks Nick. Frustrating some groups don't see the long-term benefit immediately but thrilled to see it make it to the next level!

While coding is certainly one aspect of tech that benefits from a strong math background, I continue to promote the fact that there are other avenues of technology besides coding -- QA, Data Publishing, Infrastructure, etc. -- these typically don't need Algebra II and make up over 50% of all tech workers; also many tech workers don't attend college either but go right to work.

Let me know how I can help. Glad to make a return trip if needed.

Thank you.

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From: Nick.Derksen@ohiohouse.gov [mailto:Nick.Derksen@ohiohouse.gov]
Sent: Wednesday, June 07, 2017 10:27 AM
To: Money, Geo (1853) <Geo.Money@oeconnection.com>
Subject: H.B. 170 Article - Gongwer

Geo,

Please see below the article on the H.B. 170 vote yesterday. It was a party line vote due to the Algebra II/CS issue, even though we amended to say "advanced" computer science as an equivalent course of rigor.

Will be in touch when the bill hits the House Floor.

Best,

Nick Derksen

Tuesday, June 6, 2017

House Panel Advances Computer Science Learning Standards Opposed By Democrats

A measure creating computer science standards for schools was reported out of a House committee on Tuesday without Democrat support.

The measure (HB 170), which moved through the House Education and Career Readiness Committee, caught opposition from some lawmakers because it would allow students to substitute computer science courses for Algebra II in districts that have adopted the permissive standards.

Members on Tuesday also approved an amendment ensuring that only advanced computer science course meeting certain criteria would be eligible to replace the math course as a graduation requirement. The change did little to allay concerns, however.

"I think we should be encouraging students to go into computer science, but I don't want to sacrifice what is necessary," Rep. Dan Ramos (D-Lorain) said, arguing that knowledge of Algebra II is required to pursue a career in computer science or engineering.

Republicans tabled an amendment he offered to prohibit substitutions for Algebra II.

Rep. Teresa Fedor (D-Toledo) said she couldn't support the legislation because she wanted to gather more stakeholder input on the substitution of courses.

"Too many times in Ohio we put the cart before the horse and we have to back the cart back into the bar and start over and all these kids in the meantime are stuck in the vortex of all our mistakes of not being thorough," she said.

Pointing out that more than 30 witnesses testified in support of the measure over the course of five hearings, Chairman Rep. Andy Brenner (R-Powell) said there is nothing that would preclude students from taking Algebra II in addition to an advanced computer science course.

"We've got great guidance counselors in the state of Ohio who do their jobs and make sure every student is on the best pathway that works best for them," he said, suggesting that students who are college bound would likely enroll in Algebra II.

The Department of Education helped create the accepted amendment, which agency legislative liaison Brad Ingraham said would give students flexibility to explore their interests in computer science while still engaging in advanced coursework.

"The amendment will ensure that only a course of equivalent rigor...may be an alternative to Algebra II," he said, telling the committee that the math course became a graduation requirement in the 2012-13 school year.

The department also backed another amendment approved by the committee that clarifies teachers who are endorsed for computer technology must have content knowledge of computer science before teaching classes on the topic. Mr. Ingraham said Ohio doesn't currently offer a computer science endorsement for teachers.

Members also accepted an amendment from the chairman that permits e-schools to establish computer science and technology funds. The original bill permitted all other types of schools to create such funds.

Nicholas J. Derksen

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From: Derksen, Nick
Sent: Wednesday, June 7, 2017 9:18 AM
To: 'Money, Geo (1853)'
Subject: RE: H.B. 170 Article - Gongwer

Geo,

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Nick
614-466-2361
Nick.Derksen@ohiohouse.gov

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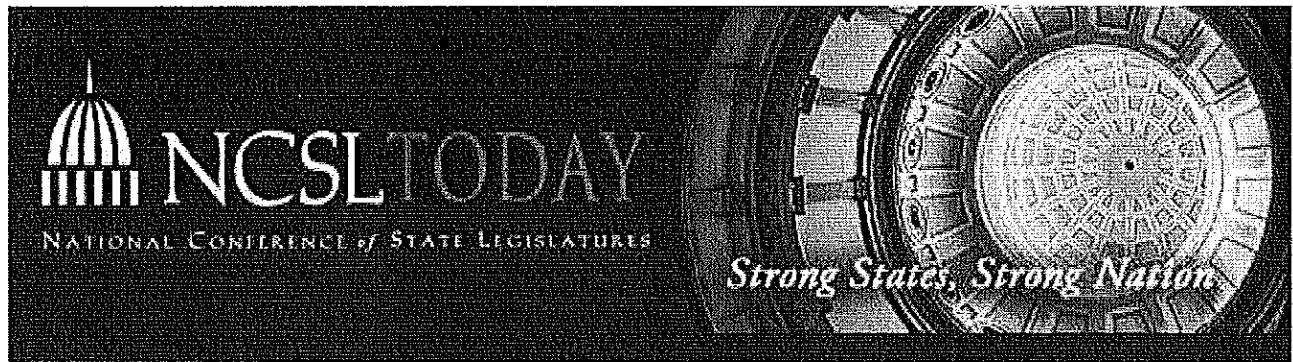
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TOP NEWS July 13, 2017

State election officials fear feds are making security worse

Governing

Secretaries of state are concerned about not just the federal government's request for voter information but also the information they're not getting about election security breaches.

U.S. appeals court upholds Wisconsin's right-to-work law

Milwaukee Journal Sentinel

A federal appeals court on Wednesday upheld Wisconsin's law that bars collective bargaining agreements requiring workers to pay union fees.

Five states face budget uncertainty in new fiscal year

Reuters

Connecticut, Wisconsin and Rhode Island's legislatures have not yet passed a budget, while Massachusetts' budget awaits action from state Governor Charlie Baker to either sign or veto it. **NCSL's Erica MacKeller quoted.**

Medical pot industry wants in on soaring pot sales

The Chicago Tribune

Sales of products containing CBD, or cannabidiol, increased 30 percent to \$262 million nationwide last year, according to the Hemp Business Journal. By



FEATURED

Commentator/pollster Frank Luntz featured speaker at Legislative Summit

Frank Luntz is one of the nation's foremost political commentators and pollsters. Known as the Focus Group Czar, he captures the attitudes of American voters on politics, policies and the direction of the country. He will speak during Tuesday's general session

NEWS@NCSL

2020, the industry trade journal projects that figure to leap to more than \$1 billion, with most of those sales from hemp, not medical marijuana. NCSL research cited.

California lawmakers delay climate vote amid push for affordable housing

The Los Angeles Times

While conversations over climate change have dominated recent debate at the Capitol, California lawmakers are accelerating bills to address the state's housing affordability crisis, and may vote on a series of measures before they break for summer recess next Friday.

State lotteries fight 'jackpot fatigue,' casino competition

Stateline

With lottery proceeds flat or declining, and states reluctant to raise taxes to make up the difference, pressure is mounting to keep players playing and money rolling in.

Capitol to Capitol state-federal newsletter

Friday webinar: Cybertechnology and the law

The Canvass elections newsletter



States tackling 'balance billing' issue

The practice of a provider billing a patient for the difference between what they received in reimbursement from an insurance carrier and what they actually charge for their services is known as balance billing, or a surprise bill, and it's not uncommon.



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7700 East First Place, Denver, CO 80230

From: Erik P Roush
Sent: Thursday, August 10, 2017 7:12 AM
To: Erik P Roush
Subject: CCS Announcement

Importance: High

Dear Colleagues:

Our Superintendent/CEO Dr. Dan Good will announce today that he will retire (again) at the end of December and step down as leader of Ohio's largest school district. Though we will be losing an impactful partner in our shared efforts, we celebrate his success and leadership in restoring integrity and public confidence in Columbus City Schools.

You will recall that Dr. Good was appointed Superintendent in 2013, just days after he initially retired as Superintendent of Westerville City Schools. Our community put him right to work.

Over the past fifty months, he has proven to be an effective and outspoken leader in guiding significant academic gains, improving budget accountability, and creating new partnerships across the private and non-profit sectors. So much has been accomplished and our District is back on a sustainable positive trajectory with the right people and processes firmly in place.

Consider these gains the Board and Dr. Good shared today:

- Access to high quality pre-Kindergarten experiences was boosted by 22%.
- A district-wide and community-wide all-hands-in effort on primary reading more than doubled the percentage of 3rd graders promotable to 4th grade four years in a row.
- More students with Limited English Proficiency and Special Needs were better served - more than any other district in the region.
- Achievement gaps that historically separated student groups were virtually eliminated in 26 schools.
- The historic step to offer both breakfast and lunch to all students at no charge prevented the lack of steady access to a nutritional meal from being a barrier to learning.
- Columbus' first Gifted Academy opened for students with superior cognitive skills and talent.
- Local businesses and labor helped CCS transform career tech so more students graduate with in-demand career skills and often jobs in hand.
- A growing number of graduates can afford to go to college, with the Class of 2017 earning a record-breaking \$72 million in scholarships and grants.

- Taxpayer investments in the District were protected by reducing administrative overhead, trimming the annual budget by \$50 million in 2015, closing under-utilized schools and selling unneeded properties, and launching a much-needed \$125-million bond-supported infrastructure repair program to address years of deferred maintenance.
- Protective digital and physical data review systems now provide constant updates on vital compliance measurements for enrollment, attendance and academic measures, further ensuring the fidelity and accuracy of student-related data.
- Key systems and sustainable measures are now in place to ensure that the District can move forward without losing momentum while my colleagues on the Board and I begin the search for Dr. Good's replacement.

At this point, no timetable has been set. The District is focusing its primary efforts on a stable and successful start to the new school year (which begins on August 23) and in resolving current contract negotiations with the District's teachers and classified staff. In the following weeks, the Board pledges to have a public-engaged approach to identify and measure the essential qualities this community needs in a new superintendent and then begin a thorough search process.

I hope you will join me in thanking Dr. Good for his leadership and honoring his work within the District, across our communities, and in selfless service to the nearly 52,000 students who represent the future of our great city.

I will be reaching out to you directly in the near term in case you have any additional questions or concerns.

Thank you for your continued support.

Erik P. Roush, Ph.D.
Policy & Government Affairs
Columbus City Schools
270 E. State Street
Columbus, Ohio 43215
614.365.5790 (Office)
614.365.6042 (Fax)

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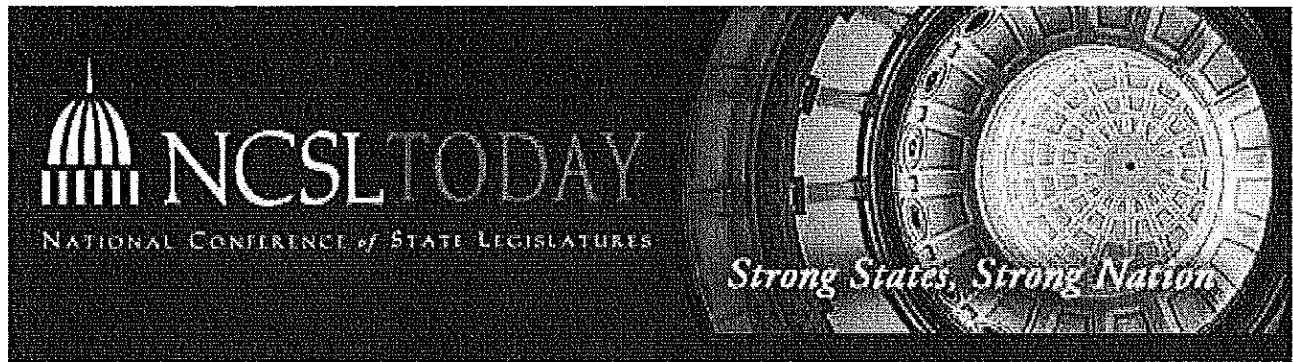
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TOP NEWS Sept. 20, 2017

States take action to combat child abuse

Stateline

Spurred by high-profile cases of endangered children and chronically overworked caseworkers, many states have taken steps this year to shield children from abuse and neglect, including adding caseworkers, tightening reporting requirements and expanding the definition of "abuse."

NCSL resources on state strategies to prevent child injuries and abuse.

Massachusetts attorney general sues Equifax over data hack

CNBC

Massachusetts Attorney General Maura Healey filed a lawsuit on Tuesday against credit reporting firm Equifax following a breach that exposed the personal data of as many as 143 million people, including 3 million in the state.

States face fiscal challenges as Congress weighs tax reform

The Hill

State governments are likely to face a new round of budget cuts and belt-tightening as revenue growth slows, due in part to uncertainty over whether Congress will reform the federal tax code.

Wisconsin appeals court upholds 'right-to-work' law, dealing blow to unions

Milwaukee Journal Sentinel



Preventing child and adolescent injuries and violence

As more evidence becomes available about the long-lasting effects of early harmful events—including their personal and financial impacts—policymakers are increasingly exploring whether states have a role in preventing and mitigating such experiences.

GOP Gov. Scott Walker and Republican lawmakers in 2015 approved the law, which prohibits labor contracts that require all workers in certain job classifications — including those who don't want to belong to a union — to pay union fees.

NCSL right-to-work resources.

Tennessee reinstates work requirements for food stamp recipients

Nashville Tennessean

Tennessee Gov. Bill Haslam and administration officials today announced plans to reinstate federal work requirements for "able-bodied" adults without dependents for eligibility in the federal food stamp program.

The next big technology to transform government

Governing

It's called blockchain. Some say it will have a bigger impact than the internet.



State efforts promote hybrid and electric vehicles

Register now for the NCSL Capitol Forum Dec. 10-13 in Coronado, Calif.

Capitol to Capitol: One last attempt to repeal Obamacare



National Voter Registration Day is fast-approaching

Given that voting is the foundation of the American republic, it is fitting that we will soon celebrate National Voter Registration Day on Sept. 26.



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Commissioners' General Session Agenda for 10/03/2017

The Franklin County Board of Commissioners holds its General Session meetings every Tuesday at 9:00am in the Franklin County Government Office Tower at 373 South High Street, 26th Floor. Highlighted below are some of the resolutions/contracts scheduled for consideration at the upcoming meeting:

Short-Term Support for Vulnerable Residents

Franklin County must update its Prevention, Retention, and Contingency (PRC) Plan at least every two years, and the Department of Job and Family Services has a resolution before the commissioners on Tuesday to certify the PRC Plan for the 2018-2019 Federal Fiscal Biennium. PRC dollars can be used to help eligible families in an emergency to avoid eviction, ensure their utilities won't be shut off, pay an auto repair bill or buy a bus pass to make it easier to get and keep a job. Among changes to the plan is an increase in the amount of yearly aid from \$1,000 to \$1,500, and allowing individuals to apply for more than one category of need on a single application.

Commissioners Oppose to "Right-to-Work" Legislation

The Franklin County Board of Commissioners has long been a strong supporter and proponent the rights of Ohio's public employees to organize and bargain as collective units, and has expressed this position on many occasions, including in 2011 by adopting Resolution 0133-11 which opposed the passage of Ohio Substitute Senate Bill 5. On Tuesday, the commissioners are expected to adopt a resolution declaring their strong opposition to any effort by the Ohio General Assembly to pass legislation that attempts to weaken organized labor in the state of Ohio, and their strong support for the public sector employees that strengthen our communities and our state.

For the complete General Session Agenda, visit: <https://commissioners.franklincountyohio.gov/public-meetings/general-session>

Commissioners' Weekly Agenda 10/01/2017 through 10/07/2017

Free Flu Shot Clinic (Tuesday, October 3 from 6-8 p.m.)

Getting your annual flu shot is the first and most important step in protecting against the flu. Not only will you protect yourself but you will protect your loved ones and coworkers, too. If you have not gotten your flu shot yet this season, get one now. They are readily available through any local pharmacy or your doctor. Franklin County Public Health is hosting a flu shot clinic at the Franklin County Fairgrounds (4100 Columbia St., Hilliard) on Tuesday evening. Free flu shots will be offered to anyone 6 months & older.

[Click here for more info](#)

Homework and Reading at the Library (Saturday, October 7 at 10:15 a.m.)

Commissioner Marilyn Brown will be reading to children and helping them with their homework on Saturday at the Columbus Metropolitan Library's K-3 Resource Fair (Main Library, 96 S. Grant St.). The event theme is Fall In Love With Reading, and it is open to all children. Those who participate will receive free books to take home.

National Girl Scouts Convention (Saturday, October 7 at 2 p.m.)

Commissioner Brown will be speaking at the national Girl Scouts convention at the Great Columbus Convention Center (400 N. High St.) on Saturday. The three-day event, called G.I.R.L. 2017 is expected to draw more than 10,000 of the brightest, toughest, and most capable girls and women in the world to our community. G.I.R.L. stands for Go-getter, Innovator, Risk-taker, Leader. Commissioner Brown was both a Girl Scout and a Girl Scout leader.

Upcoming Holiday Closure (Monday, October 9)

Franklin County offices will be closed on Monday, October 9 in observance of Columbus Day.

For the Weekly Agenda of Official Public Meetings, visit: <https://commissioners.franklincountyohio.gov/public-meetings>

For more information on the Franklin County Board of Commissioners, call the Office of Public Affairs at (614) 525-3322 or visit commissioners.franklincountyohio.gov.

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Wednesday, November 1, 2017

IN TODAY'S HANNAH REPORT:

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Today's Stories

- [House Releases Documents on Harassment Complaints against Three Lawmakers](#)
- [Kasich Praises Unions, Says 'Right to Work' Non-Issue](#)
- [House Sees Lengthy Floor Debate over Latest Abortion Bill, Anti-Fraud SNAP Legislation](#)
- [Redistricting Panel Hears Further Testimony Bashing Gerrymandering](#)
- [Bill Barring Workers' Compensation to Illegal Aliens Gets First Hearing](#)
- [Automakers Talk Rollout Timelines, Policy Needs in Driverless Car Hearing](#)
- [House Committee Discusses Merits of Piping Materials Bill](#)
- [Statehouse Rally Urges Action on Legislation to Reform Payday Loans in Ohio](#)
- [New Ohio State Policy Center to Study 'War on Drugs'](#)
- [Ohio Earns Solid 'C' in New Report on Pre-Trial Justice](#)
- [Ohio Attorney General Opinion Request](#)
- [Judicial Actions: Opinions; Appeals Accepted](#)
- [Executive Actions: Appointments](#)

House Committee Reports

- [Aging and Long Term Care](#)
- [Community and Family Advancement](#)
- [Criminal Justice](#)
- [Federalism and Interstate Relations](#)
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- [House Releases Documents on Harassment Complaints against Three Lawmakers](#)
- [Kasich Praises Unions, Says 'Right to Work' Non-Issue](#)
- [House Sees Lengthy Floor Debate over Latest Abortion Bill, Anti-Fraud SNAP Legislation](#)
- [Redistricting Panel Hears Further Testimony Bashing Gerrymandering](#)
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COMMISSIONER CONNECTION

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Friday, November 3, 2017 | EDITION #2

**WELCOME! A LETTER FROM COMMISSIONER
MARILYN BROWN**

Welcome to the November edition of Commissioner Connection! As you'll see, it is an exciting time to be a Franklin County resident. We're very proud to have hosted almost 3,000 county commissioners from around the nation at the recent National Association of Counties annual conference here in Franklin County, and we're ready to break ground next week on the county's new jail and corrections center, which will replace the current downtown jail facility. [READ MORE](#)



NEW AMERICANS ADD TO THE SPICE OF LIFE IN FRANKLIN COUNTY

Franklin County is the largest in the State of Ohio with a population of 1.3 million, and at our current rate of growth, our population is expected to increase by 500,000 in the coming decades. Franklin County is also home to approximately a quarter of Ohio's New American population, with growing numbers of residents from Somalia, Bhutan, Iraq, Burma, Ethiopia, Japan, Sierra Leone, Jamaica, Liberia, India and China. More than half of this immigrant population arrived in Central Ohio in just the last 10 years.



[READ MORE](#)

SPOTLIGHT ON A COUNTY EMPLOYEE



Each year, the Franklin County Dog Shelter takes in more than 11,000 dogs, and Field Supervisor Jodi Kroeger and her deputies bring in most of them. Jodi is a Deputy Dog Warden on the enforcement side of the Department of Animal Care and Control, and helps to supervise more than 20 Wardens and Dispatchers who operate the department's 11 animal control trucks throughout Franklin County picking up loose dogs, protecting public safety, and enforcing the laws in Ohio Revised Code Chapter 955. As such, the

Deputy Wardens constitute a law enforcement agency, and their first mission is always public safety, but the employees' first love is the animals themselves. [READ MORE](#)

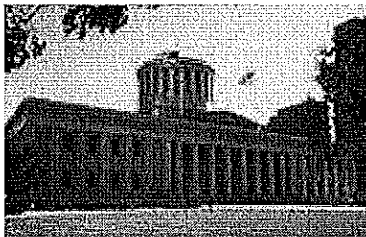
STEP UP TO QUALITY

Officials at the commissioners' Job & Family Services department are urging child care providers to prepare now for new state requirements that don't go into effect until 2020 because there is so much is at stake - for everyone. [READ MORE](#)



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RIGHT TO WORK, RIGHT TO ORGANIZE



On October 3rd, the Franklin County Board of Commissioners adopted resolution 711-17 in support of Central Ohio residents to bargain collectively in their employment, and in opposition of any so-called Right to Work legislation before the Ohio General Assembly. They also sent a letter to Franklin County's delegation to the Ohio

House and Senate laying out their support for Ohio employees and opposition to such legislation. [READ MORE](#)

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STAR HOUSE SERVES CENTRAL OHIO HOMELESS YOUTH

Since 2015, the Franklin County Board of Commissioners has joined in supporting Star House a non-profit drop-in center for homeless youth that provides young people with food, clothing, rest, healthcare, substance abuse counselling, job-seeking skills, education support, and housing help. Star House opened its doors in 2006 as a partner organization of The Ohio State



University, and since then has opened a new, 14,000 square-foot facility to better meet the needs of street-living youth. The prior facility was 1,800 square feet and could only serve 25 youth at a time. [READ MORE](#)

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From: Michalowski, Joe
Sent: Friday, December 15, 2017 8:38 AM
To: Michalowski, Joe
Subject: Becker Co-sponsor Request: Six Right-to-Work Constitutional Amendments
Attachments: Co-sponsor Request- Six Right-to-Work Constitutional Amendments.pdf

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Representative John Becker
Ohio's 65th House District

MEMORANDUM

To: GOP House Members
From: Representative John Becker
Date: Friday, December 15, 2017
RE: Co-Sponsor Request: Six Right-to-Work Constitutional Amendments

The following are six separate Right-to-Work related constitutional amendments in no particular sequence. Please join me in co-sponsoring one or more of the below:

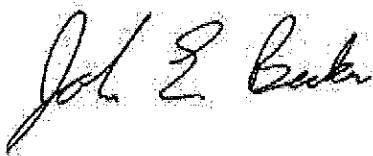
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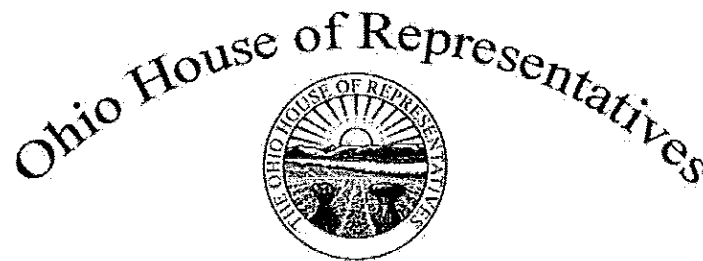
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Thank you for your time and consideration of this legislation.



John Becker
State Representative

65th House District



Representative John Becker
Ohio's 65th House District

MEMORANDUM

To: GOP House Members
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Date: Friday, December 15, 2017
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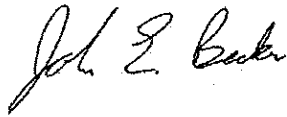
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Thank you for your time and consideration of this legislation.

A handwritten signature in black ink, reading "John E. Becker". The signature is written in a cursive style with a large, stylized "J" and "B".

John Becker
State Representative
65th House District

From: report@hannah.com
Sent: Monday, December 18, 2017 3:29 PM
To: Derksen, Nick
Subject: Hannah News Stories for Monday, December 18, 2017

Monday, December 18, 2017

IN TODAY'S HANNAH REPORT:

Please click here to read the entire Hannah Report.

Today's Stories

- [Kasich Seeks to Give Last 'State of State' in Westerville on March 6](#)
- [Kasich Names Laubert Acting Director of ODA](#)
- [Senate Plans to Address Voting Machine Funding, Obhof Says](#)
- [Controlling Board Approves Combined DYS/DRC Office Lease](#)
- [IG Chides DAS for IT Procurement Practices](#)
- [Becker Proposes Six Right to Work Constitutional Amendments](#)
- [ODH Elevates Flu Level to 'Widespread'](#)
- [Turnpike Commission Approves Budgets, Toll Modernization Plans](#)
- [OSU Toy Adaptation Program Helps Fix Toys for Children with Special Needs](#)
- [By the Numbers: Legislative Activity in 2017](#)
- [State Government Roundup: ODNR](#)
- [Campaign Corner: Jolivette; Endorsements](#)
- [Ohio Digest: U.S. HHS](#)
- [Ohio Attorney General Opinion Request](#)
- [Judicial Actions: Parades; Opinion](#)

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From: report@hannah.com
Sent: Monday, December 18, 2017 3:30 PM
To: DL_Hannah
Subject: Hannah News Stories for Monday, December 18, 2017

Monday, December 18, 2017

IN TODAY'S HANNAH REPORT:

Please click here to read the entire Hannah Report.

Today's Stories

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From: Westlake, Libby
Sent: Wednesday, December 20, 2017 5:39 AM
To: Westlake, Libby
Subject: E-Clips for 12/20/2017

HOUSE E-CLIPS

12/20/2017

The Columbus Dispatch *Ohio's Greatest Online Newspaper*

REPORT SUGGESTS STATE AGENCY ALREADY HAS VIOLATED NEW CONTRACTING POLICY

After The Dispatch revealed the Ohio Department of Administrative Services awarded \$15 million in unbid contracts to favored information-technology consultants, the agency promised to clean up its act.

NEW WHALEY AD PRAISES WORK, PROMISES JOBS

Dayton Mayor Nan Whaley has released a new internet ad touting the dignity of work as she seeks the Democratic nomination for governor.

Dayton Daily News www.daytondailynews.com

LEHNER'S BILL AIMS TO CHANGE OHIO TEACHER EVALUATION SYSTEM

The Ohio Teacher Evaluation System (OTES) could see significant changes if a bill recently introduced by State Sen. Peggy Lehner (R-Kettering) becomes law.

STATE SENATOR TO RUN FOR MIAMI COUNTY COMMISSION

State Sen. Bill Beagle (R-Tipp City) today declared his candidacy for a seat on the Miami County Commission.

THE ENQUIRER

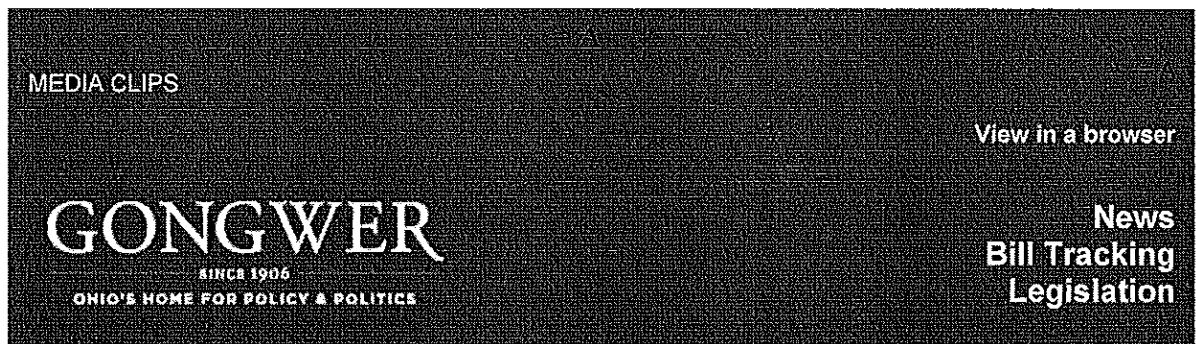
'RIGHT TO WORK' IN OHIO? GOP LAWMAKER WANTS VOTERS TO CHOOSE

Undeterred by the acrimonious fight over Senate Bill 5, GOP Rep. John Becker wants voters to choose whether Ohio should become a right-to-work state.

From: Gongwer News Service
Sent: Wednesday, December 20, 2017 5:40 AM
To: Derksen, Nick
Subject: Ohio Media Clips, Wednesday, December 20

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NEWS

Federal judge dismisses legal effort to stop gas pipeline (Associated Press, 12/20/2017)

Ohio attorney general not joining legal fight over net neutrality (Associated Press, 12/20/2017)

'Right to work' in Ohio? Becker wants voters to choose (Cincinnati Enquirer, 12/20/2017)

Your tax bill savings might not be as big as advertised. The economic development benefits might not be, either (Cleveland Plain Dealer, 12/20/2017)

New Whaley ad praises work, promises jobs (Columbus Dispatch, 12/20/2017)

Report suggests state agency already has violated new contracting policy (Columbus Dispatch, 12/20/2017)

Stivers announces net neutrality bill (Columbus Dispatch, 12/20/2017)

Tax revision almost law; one more vote left (Columbus Dispatch, 12/20/2017)

Lehner's bill aims to change Ohio teacher evaluation system (Dayton Daily News, 12/20/2017)

Report: Ohio cities facing fiscal stress despite improving economy (Dayton Daily News, 12/20/2017)

Senate passes GOP tax bill; House to revote Wednesday (Dayton Daily News, 12/20/2017)

EDITORIALS

Editorial: 2012 effort a dog of a law (Columbus Dispatch, 12/20/2017)

Editorial: Truth and news under assault (Columbus Dispatch, 12/20/2017)

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= A

From: Michalowski, Joe
Sent: Wednesday, December 20, 2017 11:43 AM
To: Michalowski, Joe
CC: Basie, Margaret
Subject: Becker & Riedel REVISED Co-sponsor Request: Six Right-to-Work Constitutional Amendments
Attachments: Becker & Riedel Co-sponsor Request- Six Right-to-Work Constitutional Amendments.pdf

Importance: High
Follow Up Flag: Follow up
Flag Status: Completed

Representative Craig S. Riedel

has signed on to all six of these constitutional amendments as a joint sponsor with Rep. Becker.

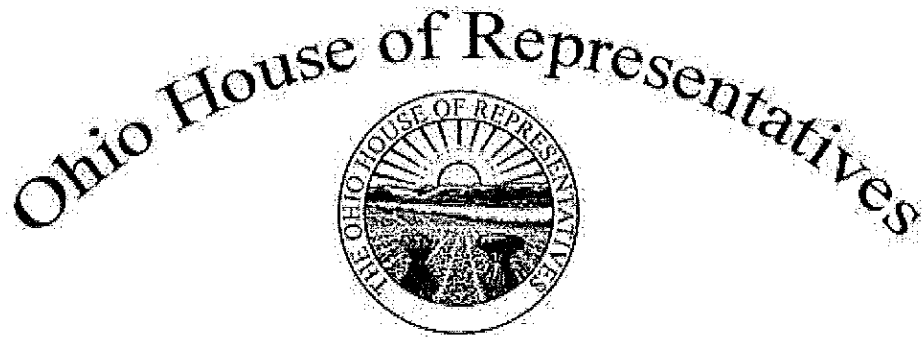
Each of the six amendments would appear on Ohio's general election ballot on November 3, 2020.

The current co-sponsors of all six are: Rep. Thompson, Rep. Brinkman, Rep. Dean, Rep. Keller, Rep. Roegner, and Rep. Zeltwanger. Rep. Lang is a co-sponsor on the following constitutional amendments: private-sector right-to-work (amendment #1); public-sector prevailing wage (amendment #3); and public-

sector project labor agreements (amendment #5).

Rep. Vitale is a co-sponsor on public-sector right-to-work (amendment #2).

Revised deadline to co-sponsor is TODAY at 5:00 PM. Please note which constitutional amendment(s) you wish to co-sponsor.



Representative John Becker
Ohio's 65th House District

Representative Craig S. Riedel
Ohio's 82nd House District

MEMORANDUM

To: GOP House Members
From: Representative John Becker and Representative Craig S. Riedel
Date: Wednesday, December 20, 2017
RE: REVISED: Co-Sponsor Request: Six Right-to-Work Constitutional Amendments

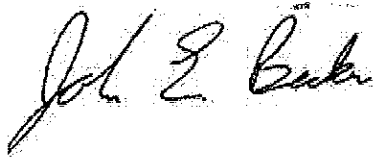
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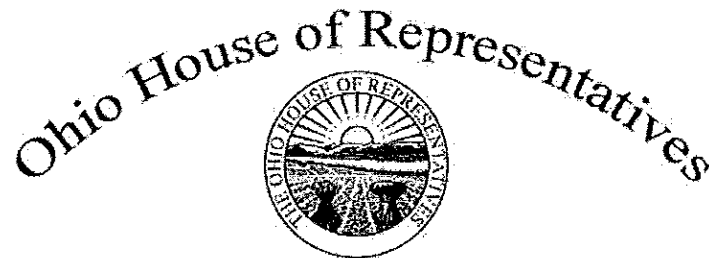
Thank you for your time and consideration of this legislation.

Handwritten signature of John E. Becker in black ink.

John Becker
State Representative
65th House District

Handwritten signature of Craig S. Riedel in black ink.

Craig S. Riedel
State Representative
82nd House District



Representative John Becker
Ohio's 65th House District

Representative Craig S. Riedel
Ohio's 82nd House District

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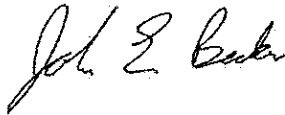
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John Becker
State Representative
65th House District



Craig S. Riedel
State Representative
82nd House District

From: Gongwer News Service
Sent: Thursday, December 21, 2017 3:04 PM
To: Derksen, Nick
Subject: Ohio Report, Thursday, December 21, 2017
Attachments: Dec21House.htm; Dec21Senate.htm; 171221dayplan.htm; Dec21.htm

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OHIO REPORT THURSDAY, DECEMBER 21

Speaker Tasks Universities With Engaging High Schoolers Impacted By Opiate Epidemic

Right-To-Work, Prevailing Wage Proposals Unveiled In House

Children Services Agencies See Growing Burden From Drug Crisis; Overdose Deaths Tallied

House Republican Announces Plan To Crack Down Drug Dealers

'Significant Update' On Belmont County Ethane Cracker Slated For 2018

Federal Judge Dismisses Property Owners' Lawsuit Against Nexus Pipeline

Groups Highlight Economic Impacts Of 'Dreamers' In Push To Restore DACA

High Court Green Lights Tax Board To Take Up \$500K NASCAR Appeal

Poll Finds Democrats With Big Lead In Generic Congressional Ballots; Bacon Touts Fundraising; Scott Officially Enters District 12 Race...

ACTIVITY REPORTS

House

Senate

CALENDARS

Day Planner

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— A



House Activity for Thursday, December 21, 2017

INTRODUCED

HJR 7 ■ **UNION MEMBERSHIP** (Becker, J., Riedel, C.) Proposing to enact Section 22 of Article I of the Constitution of the State of Ohio to prohibit laws, rules, and agreements that require employees of public sector employers to join or pay dues to an employee organization and to prohibit employee organizations from representing nonmember public sector employees in employment-related matters.
Gongwer Coverage

HJR 8 ■ **UNION MEMBERSHIP** (Becker, J., Riedel, C.) Proposing to enact Section 22 of Article I of the Constitution of the State of Ohio to prohibit laws, rules, and agreements that require employees of private sector employers to join or pay dues to an employee organization and to prohibit employee organizations from representing nonmember private sector employees in employment-related matters.
Gongwer Coverage

HJR 9 ■ **PREVAILING WAGE** (Becker, J., Riedel, C.) Proposing to enact Section 43 of Article II of the Constitution of the State of Ohio to prohibit a public authority from requiring a contractor on a public improvement to pay the contractor's workers the prevailing rate of wages for work performed on the public improvement.
Gongwer Coverage

HJR 10 ■ **PROJECT LABOR AGREEMENTS** (Becker, J., Riedel, C.) Proposing to enact Section 2 of Article XV of the Constitution of the State of Ohio to prohibit certain requirements or prohibitions regarding labor agreements in government contracts.
Gongwer Coverage

HJR 11 ■ **COLLECTIVE BARGAINING** (Becker, J., Riedel, C.) Proposing to enact Section 12 of Article XV of the Constitution of the State of Ohio to subject any public employee collective bargaining representative to an annual election to remain certified as the exclusive representative.
Gongwer Coverage

HJR 12 ■ **UNION DUES (Becker, J., Riedel, C.)** Proposing to enact Section 12 of Article XV of the Constitution of the State of Ohio to prohibit dues and other fees payable to an employee organization from being deducted from the payroll check of a public employee and to prohibit those dues and fees from being used for political purposes unless authorized by the public employee.
Gongwer Coverage

HB 454 ■ **CEMETERY LOTS (Patterson, J., Arndt, S.)** To require a township to compensate the owner of certain unused cemetery lots and rights which the township reenters after lack of response from the owner. Am. 517.073

17 S. High St., Suite 630
Columbus Ohio 43215
Phone: 614-221-1992 | Fax: 614-221-7844 | Email: gongwer@gongwer-oh.com

Scott Miller, President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger,
Jon Reed, Staff Writers

Click the  after a bill number to create a saved search and email alert for that bill.

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Senate Activity for Thursday, December 21, 2017

INTRODUCED

SB 246 ■ **STUDENT REMOVAL** (Lehner, P., Manning, G.) To enact the "SAFE Act" to revise the procedures for emergency removal of a student, to prohibit certain suspensions and expulsions of students in grades pre- kindergarten through three, to require each public school to implement a positive behavior intervention and supports framework in accordance with state standards, and to make an appropriation. Am. 3302.03, 3313.534, 3313.66, 3313.661, 3313.668, and 3319.46 and to enact section 3319.237

17 S. High St., Suite 630
Columbus Ohio 43215
Phone: 614-221-1992 | Fax: 614-221-7844 | Email: gongwer@gongwer-oh.com

Scott Miller, President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger,
Jon Reed, Staff Writers

Click the  after a bill number to create a saved search and email alert for that bill.

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Daily Activity Planner for Friday, December 22

Legislative Committees

No legislative committees scheduled.

Agency Calendar

No agency meetings scheduled.

Event Planner

No events scheduled.

17 S. High St., Suite 630
Columbus Ohio 43215

Phone: 614-221-1992 | Fax: 614-221-7844 | Email: gongwer@gongwer-oh.com

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Volume #86, Report #245 -- Thursday, December 21, 2017

Speaker Tasks Universities With Engaging High Schoolers Impacted By Opiate Epidemic

University presidents are coming together to devise strategies for reaching out to youth impacted by the opiate epidemic.

They're doing so at the request of Speaker Cliff Rosenberger (R-Clarksville), who said he was recently inspired by a group of Waverly City Schools students impacted by addiction.

Many students in that district live with someone other than their parents and lack access to role models who can highlight life skills and opportunities to grow, he said in a recent column.



Speaker Rosenberger

Speaker Rosenberger said he believes universities can serve as the sources of those mentors.

"It's our communities who are going to help us in the drug epidemic, so how can we get college students to be those big brothers and sisters and give them some credit maybe for service-oriented things," he told reporters last week.

Another facet of his charge to universities is to consider how at-risk high school students can volunteer to earn credits toward college tuition, he said.

"Maybe they earn some credit or some dollars toward college credit so that they can have some ability to go out and do something," Speaker Rosenberger said.

Because reaching out to underserved populations dealing with the opiate crisis will be a priority for the legislature in 2018, he said he's eyeing legislation that would implement such mentorship and volunteer programs statewide. (See Gongwer Ohio Report, December 15, 2017)

University presidents began brainstorming immediately after meeting with the speaker earlier this month and will come back together in January to decide which ideas should be proposed, said Bruce Johnson, president of the Inter-University Council of Ohio.

Institutions have an essential role in the state's ongoing fight against opioids, he said, pointing to research that shows Ohioans with college degrees are 14 times less likely to die of overdoses than those who have only high school diplomas.

"One of the fundamental ways to attack opiate abuse in the state is to have a higher percentage of people in the state obtain a higher education," Mr. Johnson said.

"Students, particularly in hard-to-reach areas of the state, having mentors would help them manage their way through the difficulties and find their way to a public university," he added.

In areas of the state where the opiate epidemic has hit hardest, encouraging students to want to go to college is key because they often don't see higher education as a potential pathway, Mr. Johnson said.

"I think the thing that's really going to give students hope is a pathway which involves access to higher education," he said.

For that reason, it's possible the forthcoming plan will propose financial assistance for high school students who participate in a mentorship program and can show perseverance, Mr. Johnson said.

"Earning your way toward a college scholarship would be a great use of the state's resources," he said.

Any legislative proposals that come from the president's recommendations would be in addition to what universities are already doing on the opiate front, he said. Each university has undertaken initiatives to address the issue.

At Ohio University, low-income patients with substance abuse issues can receive free or low-cost treatment and drug dependent mothers-to-be are eligible for access to medication-assisted treatment programs, obstetrical care, social service benefits and other services. Similar services are provided at other university hospitals throughout the state.

Meanwhile, University of Akron is looking to help students who may be dealing with addiction by working with community agencies to develop supports and programming.

In the research realm, the University of Cincinnati recently received a \$1.5 million Third Frontier grant aimed at the epidemic. That total is in addition to \$32 million in research funding that's been awarded to the university to be put toward the cause.

Other universities are offering up their own dollars in an effort to find innovative solutions to the state's drug problem. The new Opioid Innovation Fund at Ohio State University will provide \$1 million in grants to public-private partnerships that develop programs or technologies to reduce the burden of the opiate crisis.

Right-To-Work, Prevailing Wage Proposals Unveiled In House

A slate of ballot proposals targeting labor laws was introduced Thursday in the House, drawing immediate pushback from one of the state's largest union groups.

The six joint resolutions from Rep. John Becker (R-Union Twp.) and Rep. Craig Riedel (R-Defiance) would ban mandatory union dues for both public and private employees, limit prevailing wage and make other changes guaranteed to spark protests among Ohio's unions.

If passed by lawmakers, the issues would be placed on the 2020 ballot for voters to weigh in, according to Rep. Becker. He said he chose the resolution route after his prior legislative efforts went nowhere.

"It has to do with making Ohio more competitive," Rep. Becker said in an interview. "Currently, Ohio is being left behind. Four out of five of Ohio's neighboring states are right to work. With 28 (right-to-work) states in the union, the trend is clearly in that direction."

Two of the resolutions (HJR 7 & HJR 8) would ban any laws, rules or agreements requiring public and private sector employees to join or pay union dues. They would also prohibit unions from representing non-members in employment-related matters.

Other resolutions would:

- Prevent a public authority from requiring a contractor on a public improvement project to pay workers the prevailing rate of wages (HJR 9).
- Forbid certain requirements or prohibitions regarding labor agreements in government contracts (HJR 10).
- Subject any public employee collective bargaining representative to an annual election to remain certified as the exclusive representative (HJR 11).
- Prohibit dues and other fees from being deducted from the payroll check of a public employee and prohibit those fees from being used for political purposes unless authorized by the employee (HJR 12).

Along with Messrs. Becker and Riedel, nine other representatives have signed on as cosponsors of one or more of the resolutions.

Rep. Becker said Republican leaders, House Speaker candidates and Republican gubernatorial candidates have all told him the same thing: If Ohio is to become a right-to-work state, it needs to be a decision driven by voters.

"They've all got this one consistent theme: the voters have to decide," Rep. Becker said. "I'm taking them at their word and saying fine, let's move forward with that. That's what these resolutions would do. They go on the ballot for people to decide."

Brad Miller, a spokesman for House Speaker Cliff Rosenberger (R-Clarksville), said the speaker will review the proposals.

"The issue of right-to-work has been brought forward numerous times in recent years, and it always generates an important and interesting discussion amongst the caucus," Mr. Miller said. "Since Rep. Becker's resolution was introduced just today, Speaker Rosenberger will review the legislation and will seek input from caucus members before any potential future actions are determined."

Tim Burga, president of the Ohio AFL-CIO, said that neither employers nor employees in Ohio are seeking these changes.

"These proposals are a frontal assault on workers," Mr. Burga said. "It does three things: It takes away rights at work, it drives down wages, and it strips workers of their political beliefs. It's really policies that attack the foundation of what's been a catalyst to create Ohio's working class."

Ohio House Democrats will likewise fight the proposals should they gain traction, with Minority Leader Fred Strahorn (D-Dayton) calling them "dangerous, divisive bills."

"Taxpayers expect us to work together to increase opportunity and create jobs with wages and benefits that can sustain a family," Rep. Strahorn said. "These anti-worker, anti-family restrictions will do the exact opposite."

Opponents point to the public's rejection of 2011's Senate Bill 5 - in which voters voted 62-38% to repeal a law that limited collective bargaining for public employees - as evidence that Ohioans don't support such a move. (See Gongwer Ohio Report, November 8, 2011)

For that reason, Gov. John Kasich, commenting on prior right-to-work legislation from Rep. Becker and others, has said right-to-work is "not on my agenda."

But Rep. Becker contends that SB5 (129th General Assembly) wasn't truly a right-to-work bill was but more focused on strikes, benefits and union negotiations. In his view, voters haven't weighed in on the issue since 1958 when voters by a 63-36% margin rejected a right-to-work amendment.

Rep. Becker said he approached Rep. Ryan Smith (R-Bidwell) and Rep. Larry Householder (R-Glenford) about supporting the resolutions but neither has signed on at this point as a cosponsor. Both men are vying to succeed Rep. Rosenberger as speaker.

But the sponsor said he believes the measures would have support in the caucus.

"In conversations with plenty of other colleagues beyond those nine (cosponsors) it's a whole lot of, 'We don't want to go on record with it' or 'we want to see which direction it goes,'" Rep. Becker said. "They just don't want to be in front of it right out of the gate. There's a lot of support, it's just not necessarily public."

Mr. Burga, though, said the proposals are a "political assault authored by out-of-state interests."

"It's never a good time to introduce bad policy but again this is an extreme measure without a constituency," Mr. Burga said. "I would say Ohioans deserve better than this. Just like on Senate Bill 5, we will fight these proposals and encourage legislators to work together to find common ground to create jobs and raise wages."

Children Services Agencies See Growing Burden From Drug Crisis; Overdose Deaths Tallied

The opiate epidemic continues to put a strain on Ohio's foster care system, with a thousand more kids expected to spend the holidays in foster care this year compared to 2016, a report released Thursday found.

The Public Children Services Association of Ohio said the drug problem is driving a dramatic surge in demand for foster care, with the number of children in agency custody rising from 12,654 in July 2013 to 15,145 last July.

At this rate, the state would reach 20,000 kids in care by 2020, with the cost of placing them in foster homes and residential facilities rising to more than \$500 million per year.

"We are sounding the alarm now - we need help," PCSAO Executive Director Angela Sausser said in a statement. "We need substantially more state resources before we lose the ability to provide essential services to vulnerable children."

The data indicate increasing rates of growth in the number of children in care, with the total rising from 15,145 on July 1 to more than 15,500 on Oct. 1.

The association pointed to some help it received from the legislature in the budget bill (HB 49), an additional \$15 million. Yet foster care placement costs have increased by about \$45 million since last year, not counting staffing or other agency services, the group said.

"Ohio needs a long-term solution to this crisis - and leadership to get us there before agency budgets collapse and our workforce jumps ship," Ms. Sausser said. "We already have a lack of available foster homes in Ohio. With the projected increases, we will have children sleeping in county agency lobbies with no available foster family to take them in."

Other state efforts include work by Attorney General Mike DeWine's office including a 14-county pilot project designed to help families affected by parental opioid abuse. (See Gongwer Ohio Report, March 24, 2017) Another effort by the AG's office provides more funding for children services agencies to boost the number of foster families available. (See Gongwer Ohio Report, December 20, 2017)

Ms. Sausser pointed to work in California, where that state is realigning services along a continuum of care.

The increase in placements, she said, doesn't include the number of children placed with relatives.

"Placing abused and neglected children with kin leads to better long-term outcomes and is far less costly to government, but it means that grandparents on fixed incomes and aunts with kids of their own must find a way to pay for food, clothes, child care and other expenses," she said. "The legislature stepped up again and provided \$15 million a year in federal funds to create child care assistance for kinship families. However, that program has been delayed."

Overdose Totals: In a related development, new data released by the federal government show Ohio with the second-highest rate of drug overdose deaths in the country at 39.1 per 100,000 in 2016.

The numbers released by the National Center for Health Statistics showed Ohio with 4,329 overdose deaths last year, up from the 4,050 reported by the Department of Health in August. (See Gongwer Ohio Report, August 30, 2017)

Ohio's overdose total was exceeded only by those of Pennsylvania, California and Florida.

In terms of the death rate, Ohio's 39.1 per 100,000 ranked behind only West Virginia, which had a rate of 52. New Hampshire was at 39.0, the District of Columbia at 38.8 and Pennsylvania at 37.9.

National totals showed a continued increase in deaths from heroin and other opioids, coupled with a dramatic surge in the number of deaths from synthetic opioids other than methadone. Those deaths totaled 3,105, or 1 per 100,000, in 2013, but rose to more than 19,000, or a rate of 6.2, in 2016.

House Republican Announces Plan To Crack Down Drug Dealers

Drug dealers in Ohio could face much stiffer penalties under a proposal unveiled Thursday.

Rep. Scott Wiggam (R-Wooster) announced plans to introduce legislation that would boost trafficking charges for all Schedule I and Schedule II substances, with the exception of marijuana, to a minimum third-degree felony that carries a mandatory prison term.



Scott Wiggam

"No longer will drug dealers be able to operate in this state with little fear for the law," Rep. Wiggam said during a Statehouse news conference.

While the lawmaker praised the state's effort to combat the drug epidemic, including \$180 million in the two-year budget (HB 49), he said deterrence and accountability are missing, and hopes his bill will provide those two components to the fight.

Over the past four years, he said, overdose deaths have skyrocketed by 212%, while traffickers going to prison fell by 4% over that same time period.

"Ohio's law is too weak to deter drug traffickers from continuing to flood our streets with their products," he said. "Law enforcement officers have grown weary and demoralized from arresting the same criminals for drug trafficking only to see them released into our society with little more than a slap on the wrist."

Wayne County Prosecutor Dan Lutz voiced that frustration. He said a trafficker in his county was recently arrested after knowingly selling heroin mixed with fentanyl that led to a user's overdose death. Among the charges his office brought was involuntary manslaughter, which was later amended to reckless homicide.

Nonetheless, Mr. Lutz said the judge in the case was not pleased with the man being charged for the death of the user and told defense counsel to seek a bench trial, which they did. The individual was eventually found guilty of a single drug trafficking charge.

"Amazingly, he sentenced him to only probation," Mr. Lutz said, adding the man went right back to selling heroin.

The bill will not differentiate between those who are trafficking large amounts of drugs for profit and those who are selling small amounts to support a habit. Mr. Lutz said both are killing people by selling deadly drugs.

"We want to deter that," he said. "We want to make it too costly to do that."

Despite the bill treating addicts and large-scale traffickers the same, Rep. Wiggam said it does not take away from changes in law in recent years that have sought to treat those two groups of individuals differently in the criminal justice system.

"If you are an addict and you are selling, you are still engaged in selling," he said.

As for the impact on the state's prison population, Rep. Wiggam said he is unsure exactly how his legislation will impact the numbers. He added that the Department of Rehabilitation and Correction has yet to take a position on the bill.

But Mr. Lutz said when discussing the state's prison population, the cost-benefit analysis does not take into account the cost savings from not having people on the streets "wreaking havoc."

"Some people need to be locked up in prisons, and these are those people," he said.

Asked about the philosophy of some in the law enforcement community, including Attorney General Mike DeWine, who has repeatedly said the state cannot "arrest its way out" of the drug problem, Mr. Lutz said that attitude needs to change.

"We've got to prevent people from getting on this stuff in the first place," he said.

Mike Brem, president of the Ohio Task Force Commanders Association, likened the battle against opioids to the fight against crack.

"We feel this penalty increase will deter drug traffickers as it did the same way with the crack epidemic in the 80's," he said.

The legislation, dubbed the "Drug Trafficking Deterrence Act," has 18 co-sponsors, according to Rep. Wiggam.

The bill also has the backing of the Ohio Prosecuting Attorneys Association, the Buckeye State Sheriffs' Association, the Ohio Association of Chiefs of Police and the OTFCA, Rep. Wiggam said.

'Significant Update' On Belmont County Ethane Cracker Slated For 2018

A Thai petrochemical company now says it will have news on whether it plans to move forward with a proposed world-class ethane cracker plant sometime after the new year.

PTT Global, Gov. John Kasich and JobsOhio leaders in 2015 announced at a Statehouse press conference that the company - Thailand's largest petrochemical and refining company - was eyeing Belmont County for the \$6 billion plant. (See Gongwer Ohio Report, April 22, 2015)

A final investment decision was initially expected in 2016 but was then pushed to 2017. Last February, the company announced it would postpone a final decision until late 2017 but with January drawing near the lack of recent news has kept locals hoping for an announcement in suspense. (See Gongwer Ohio Report, February 17, 2017)

On Thursday, the company foreshadowed a "significant update" sometime early next year.

"PTTGC America will have a significant update that will demonstrate momentum for this project early in 2018," the company said. "We thank all Ohio and Belmont County partners for their support, and we wish you a happy holiday season."

The last news of the project came in October, when JobsOhio and PTT representatives met in Washington D.C. to ink a memorandum of understanding. In the MOU, the parties agreed to establish a community infrastructure development plan after a final investment decision has been reached. (See Gongwer Ohio Report, October 6, 2017)

Asked about the project's status, JobsOhio spokesman Matt Englehart said talks are ongoing.

"While a final investment decision has not yet been made, PTTGCA continues to collaborate with JobsOhio and local partners while investing time and resources to move this project forward," he said.

JobsOhio and the Kasich administration have touted the potential project as a boon for region that will draw in jobs and economic revitalization.

The company had committed to a \$100 million investment as it considers the move and earlier this year purchased 168 acres from FirstEnergy for the site to the tune of \$13.8 million.

Despite that, the potential development of similar plants in nearby West Virginia and Pennsylvania subsequent to PTT's 2015 announcement has sparked speculation from those not involved in the talks regarding the Belmont County project's future.

Federal Judge Dismisses Property Owners' Lawsuit Against Nexus Pipeline

A federal district court judge has tossed out a lawsuit from dozens of Ohio property owners seeking to halt work on the Nexus Pipeline.

But it's hardly the only lawsuit targeting the construction of the \$2 billion, 255-mile natural gas pipeline that's yet to be resolved.

In May, 39 households - comprising 65 individuals - sued the company and the Federal Energy Regulatory Commission in an effort to halt the project.

The property owners said the company is improperly using eminent domain and argued FERC has failed to provide adequate information to homeowners regarding their options. (See Gongwer Ohio Report, May 15, 2017)

A magistrate in August issued a recommendation that the court deny plaintiffs' motion, opining that without formal FERC approval the court lacks adequate jurisdiction. (See Gongwer Ohio Report, August 8, 2017)

Weeks later, FERC approved the project, which Nexus argued in court filings made the lawsuit moot. Construction was then authorized to begin in October after several preconstruction conditions were met. (See Gongwer Ohio Report, October 13, 2017)

Judge John Adams agreed with the magistrate and his ruling this week from the U.S. District Court for the Northern District of Ohio adopts the magistrate's prior recommendation in its entirety.

Plaintiffs may now appeal to the U.S. Sixth Circuit court of Appeals. That's the same court that late last month voted 2-1 to stay construction on an eight-mile stretch of the pipeline through the city of Green. (See Gongwer Ohio Report, November 27, 2017)

Green is one of several localities - with others including Oberlin, Bowling Green and Medina - that have protested the project.

Green's lawsuit argues the Ohio Environmental Protection Agency granted the project a 401 certification improperly because the agency was not provided with practicable alternative routes with a smaller adverse environmental impact.

Sierra Club had also sued FERC over the pipeline's status, pressing D.C. circuit court to require FERC to rehear the case. But the group was forced to petition for the case to be

dismissed after the landowner at the heart of the complaint agreed to sell land to Nexus for the project.

Groups Highlight Economic Impacts Of 'Dreamers' In Push To Restore DACA

If Congress doesn't act to continue the Deferred Action for Childhood Arrivals program, Ohio could lose out on as much as \$12 million per year in tax revenue, according to a new report.

That total is how much the 9,000 Ohioans who are eligible for the program are currently paying in taxes, Policy Matters Ohio reported Thursday. All would be lost, however, if the protections for immigrants who are working and attending school are eliminated and those so-called Dreamers are deported.

If those same individuals stay in the state without DACA, many would likely take on lower-wage jobs, resulting in an estimated \$5 million tax revenue loss, the think tank said. About 4,000 Ohioans are actually participating in the program.

"Allowing DACA protections to expire would really hurt Ohio but passage of a Dream Act could boost out long-term economic output," Daniel Ortiz, outreach coordinator for Policy Matters Ohio, said in a conference call with reporters.

If Congress acts to reauthorize the program that was nixed by the Trump Administration in September, the state's gross domestic product could see a long-term annual impact of \$92 million, Mr. Ortiz said, citing Center for American Progress estimates.

Ohio's GDP could increase by more than \$300 million annually if half the eligible Dreamers earn college degrees to obtain permanent residence, he said.

"The Dream Act would put these young immigrants on a path to pay their taxes like everyone else and really could facilitate open participation in our communities," Mr. Ortiz said.

U.S. Sen. Sherrod Brown (D-Cleveland) has said he's working with Republicans on a bill that would continue protections for the children of illegal immigrants, however those who are impacted by and supportive of the program say Congress can't move quick enough. (See Gongwer Ohio Report, December 20, 2017)

If a continuation or replacement isn't approved by March 5, as many as 1,200 Dreamers per day throughout the country will see their DACA authorizations expire, Mr. Ortiz said. Under the administration's plan, those who are currently part of the program will be sheltered until their permits expire or up to two years, whichever comes first.

Elvis Saldias, a DACA recipient who lives in Columbus, said his permit expires in about six months and he's not legally permitted to continue working as a property claims adjuster if his authorization lapses by even one day.

The recent Ohio State University graduate who came to America from Boliva more than 15 years ago said he would also no longer be able to continue mentoring the state's youngest immigrants attending Columbus Global Academy.

"I need to continue doing what I'm doing," he said, adding: "I can't imagine the urgency behind those (whose authorizations) have already expired."

Mr. Saldias told reporters the DACA application process, which includes an extensive background check, takes about five months from start to finish - another reason legislation needs passed as soon as possible.

"If they pass a bill today, it doesn't mean we're going to get our renewed DACA...in the mail," he said.

Lynn Tramonte, Director of America's Voice Ohio, called the DACA rescission a crisis, saying Congress can't wait until it's up against the March deadline to make a decision.

"The deadline was September," when the administration stalled the program, she said on the conference call. "People became ineligible suddenly overnight and were unable to apply. Those qualified for renewal were cut off. It's a crisis and...it has really impacts on everybody's lives."

Calls for quick action are growing louder for DACA to be Congress's next order of business now that it's finalized a tax overhaul and appears headed for a Friday vote on another stop-gap funding bill to prevent a government shutdown.

On Wednesday, Gov. John Kasich joined 10 other governors in asking Congress to quickly find a bipartisan solution to the issue. About 800 colleges and universities in the country, including a handful from Ohio, have also pressed for a resolution. (See Gongwer Ohio Report, December 20, 2017)

U.S. Sen. Portman (R-Terrace Park) has said there is an interest in reinstating DACA into permanent law, but it may come with some parameters, such as a workforce enforcement program.

The Federation for American Immigration Reform, which backed President Trump's longtime plan to end the program and leave its future up to Congress, has also said DACA's recession opens to the door to create a larger immigration strategy that could include building a southern border wall and defunding sanctuary cities.

"Congress should seize this opportunity to come together and forge these much-needed reforms in our nation's immigration policy," the group said in a statement.

High Court Green Lights Tax Board To Take Up \$500K NASCAR Appeal

The Board of Tax Appeals erred in dismissing an appeal filed by NASCAR, the Ohio Supreme Court ruled Thursday.

In a 6-1 per curiam decision, the court sided with the Florida-based company by finding that the BTA has jurisdiction to hear an appeal even when the notice is filed by an individual not licensed to practice law in Ohio on behalf of a taxpayer with authorization.

The decision hinged on a 1980 ruling in *Jemo Assoc., Inc. v. Lindley* in which the court found that any authorized agent may file an appeal on behalf of a taxpayer, even if doing so amounts to the unauthorized practice of law, the court's media arm reported.

After conducting an audit for tax years 2005 to 2010, the Department of Taxation in 2012 determined NASCAR failed to pay the Commercial Activity Tax for broadcasting its product in Ohio.

The company was assessed \$549,520, but filed a petition for reassessment with the tax commissioner, who affirmed the finding.

NASCAR then took its case to the BTA. But because its notice of appeal was filed by a Florida attorney not licensed to practice in Ohio, the BTA dismissed the case.

The high court, however, found that the BTA was wrong to do so.

"In this case, there appears to be no dispute that NASCAR authorized Bowen to file the notice of appeal to the BTA," the court wrote in its decision. "So under (state law) and *Jemo*, the notice of appeal filed by Bowen properly invoked the BTA's jurisdiction. Therefore, the BTA erred in dismissing NASCAR's appeal for lack of jurisdiction."

Justice Patrick Fischer was the lone dissenting voice in the case. He cited the 1997 high court case of *Sharon Village Ltd. V Licking Cty. Bd. of Revision*. In that case the court found that non-attorneys cannot file property value complaints on behalf of corporate taxpayers.

"I would hold that barring a statutory exception, when an appeal to the BTA is filed by a non-attorney, the non-attorney has engaged in the unauthorized practice of law and the BTA does not, therefore, have jurisdiction to hear the appeal," he wrote. "The nonbinding plurality opinion in *Jemo* does not conclude otherwise, and even if it could be read to do so, in light of *Sharon Village*, it has been superseded. For these reasons, it was neither unreasonable nor unlawful for the BTA to follow *Sharon Village* and its progeny and to not follow *Jemo*."

Poll Finds Democrats With Big Lead In Generic Congressional Ballots; Bacon Touts Fundraising; Scott Officially Enters District 12 Race...

A new poll released jointly Thursday by Morning Consult and POLITICO has ominous signs for Republicans heading into 2018.

The poll found that Democrats hold a 10-point lead over Republicans on generic midterm ballots, with 44% respondents indicating they would vote for a Democrat in November compared with 34% who said the same about a Republican.

That is an increase from the prior week when 41% of respondents said they would vote for the Democratic candidate. Republicans polled at 36% last week.

The poll also recorded the highest "wrong direction" mark since mid-October, with 63% of respondents saying they believe the country is headed in the wrong direction.

Another finding was that Republicans may be on the wrong side of the net neutrality debate, with 49% saying that repeal was the wrong decision and just 21% saying it was the right decision.

One of the few bright spots for Republicans in the poll is that enthusiasm is higher on their side, with 64% saying they are motivated to vote in 2018, compared to 56% of Democrats.

Fundraising Numbers: Sen. Kevin Bacon (R-Minerva Park) took to Twitter Thursday to tout fundraising numbers for his bid to replace U.S. Rep. Pat Tiberi (R-Galena).

"Great fundraising results this week! We have \$120,000.00 in commitments and we begin collecting them Jan 2," he wrote.

Scott Announcement: On the Democratic of the 12th Congressional District Race, former Franklin County Sheriff Zach Scott formally announced his candidacy for the seat.

"I'm proud of the service and peace of mind I have provided to victims and their families over the past thirty years. Making communities safer by putting dangerous criminals behind bars while helping countless nonviolent offenders get their lives back on track hasn't just been my job - it's been my passion," he said.

"Now I'm going to take that same passion to Congress, where I will get laws passed that put our families and our communities first. Unfortunately, we have all seen too many Washington politicians who are more concerned with serving themselves than serving the public. All too often, Congress caters to powerful special interest groups while the pressing needs of everyday working families fall through the cracks."

Opioid Crisis: In light of a lawsuit filed against the pharmaceutical industry by Summit County and a report showing overdose deaths in Ohio increased by 24% in 2016, Rep. Tavia Galonski (D-Akron) called on drug manufacturers to take responsibility for their role in the opioid epidemic.

"Ohio's opioid epidemic is the result of a myriad of issues," she said. "The key players need to be held accountable and unfortunately, one of the largest is the pharmaceutical industry. By not being clear about the addictive properties of opioids, they have put Ohioans at risk for addiction. I believe this lawsuit is an excellent response to help hard working families needing a helping hand."

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Democrat in Ohio governor's race picks running mate: (Associated Press, 1/3/2018)

Ohioans can apply for amnesty to settle unreported tax debts: (Associated Press, 1/3/2018)

Ohio's child support system: Everyone agrees it's broken. But a fix has taken 25 years – and counting. (Cincinnati Enquirer, 1/3/2018)

Ohio's move to toss inactive voters from rolls goes to court (Cincinnati Enquirer, 1/3/2018)

Joe Schiavoni picks state board of education member as running mate (Cleveland Plain Dealer, 1/3/2018)

Medical device tax is back; industry seeks repeal (Cleveland Plain Dealer, 1/3/2018)

19-year-old takes office as city council member in eastern Ohio (Columbus Dispatch, 1/3/2018)

Governor's race Q and A | Mary Taylor (Columbus Dispatch, 1/3/2018)

Joe Schiavoni picks Stephanie Dodd as running mate (Columbus Dispatch, 1/3/2018)

Ohio Supreme Court wants state's execution-drug records (Columbus Dispatch, 1/3/2018)

From pizza delivery robots, to boozy ice cream, a look at new Ohio laws (Dayton Daily News, 1/3/2018)

On Twitter, President Trump comes out swinging in 2018 (Dayton Daily News, 1/3/2018)

2018 could be a busy ballot year in Ohio (Toledo Blade, 1/3/2018)

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Editorial: 2012 effort a dog of a law (Canton Repository, 1/3/2018)

Ohio lawmakers should keep the seriously mentally ill off Death Row: editorial (Cleveland Plain Dealer, 1/3/2018)

Senators working to turn tide of drug epidemic (Toledo Blade, 1/3/2018)

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Ohio's next governor: sorting out 9 candidates (Cincinnati Enquirer, 1/8/2018)

**Social media reactions to Mandel's decision to exit U.S. Senate race (Cincinnati Enquirer, 1/8/2018)**

**Jeff Johnson, former Cleveland councilman, plans to challenge Ohio Sen. Sandra Williams in May primary (Cleveland Plain Dealer, 1/8/2018)**

**Josh Mandel drops out of the Senate race (Cleveland Plain Dealer, 1/8/2018)**

**Marijuana legal in most states, but in few states won by Donald Trump (Cleveland Plain Dealer, 1/8/2018)**

**Ohio still has a political gender gap, but not in the race for governor: A Woman's Place (Cleveland Plain Dealer, 1/8/2018)**

**ECOT case prompts calls for better rules to verify student enrollment (Columbus Dispatch, 1/8/2018)**

**Grandparents raising kids of addicts struggle with little aid (Columbus Dispatch, 1/8/2018)**

**Josh Mandel quitting US Senate challenge of Sherrod Brown seat (Columbus Dispatch, 1/8/2018)**

**Ohio purge of voter rolls gets Supreme Court scrutiny this week (Columbus Dispatch, 1/8/2018)**

**Ohio school districts anxious for refunds from ECOT's \$60 million repayment (Columbus Dispatch, 1/8/2018)**

**Taylor stays firm with governor run; Renacci reportedly considering bid for Senate (Columbus Dispatch, 1/8/2018)**

**Top Ohio House GOP aide leaving for campaign roles (Columbus Dispatch, 1/8/2018)**

**Will 2018 be the political year of the woman? (Columbus Dispatch, 1/8/2018)**

**Are you owed money? Ohio's unclaimed fund hits \$2.6 billion (Dayton Daily News, 1/8/2018)**

**Group pushing ballot measure to increase regulation of puppy mills (Dayton Daily News, 1/8/2018)**

**Josh Mandel drops out of the U.S. Senate race against Sherrod Brown (Dayton Daily News, 1/8/2018)**

**Key issue in court case: Did Ohio deprive people of right to vote? (Dayton Daily News, 1/8/2018)**

**Ohio voters will have multiple candidates to choose from in 2018 (Toledo Blade, 1/8/2018)**

**Republican lawmakers push to make Ohio "right to work" (Toledo Blade, 1/8/2018)**

**Senator Brown in Toledo to tout anti-fentanyl act (Toledo Blade, 1/8/2018)**

## **EDITORIALS**

**Beacon Journal/Ohio.com editorial board: This is the time to protect Dreamers (Akron Beacon Journal, 1/8/2018)**

**Voting in Ohio matters - look at the 141 ties and one-vote races in the last five years: Thomas Suddes (Cleveland Plain Dealer, 1/8/2018)**

**Editorial: Legislature failed Ohio consumers (Columbus Dispatch, 1/8/2018)**

**Editorial: One vote does count: See Va. and Ohio (Columbus Dispatch, 1/8/2018)**



## Opioid aid for Ohio's towns (Toledo Blade, 1/8/2018)

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## HOUSE E-CLIPS

1/8/2018



### **OHIO BANS SALE OF DOZENS OF INVASIVE PLANTS UNDER NEW RULES**

Ohio has banned the sale of more than three dozen invasive plant species under new rules that took effect Sunday.

### **PROPOSED OHIO LAW WOULD PREVENT FORCED NURSE OVERTIME**

A shortage of nurses in Ohio has prompted a state lawmaker to propose a law that would ban hospitals from requiring nurses to work overtime.



### **IOSH MANDEL QUITTING US SENATE CHALLENGE OF SHERROD BROWN SEAT**

Because of an unspecified health issue involving his wife, Ohio Treasurer Josh Mandel is dropping out of the race to challenge Democratic U.S. Sen. Sherrod Brown.

### **KASICH SETS PRIMARY FOR TIBERI SEAT FOR MAY 8; SPECIAL ELECTION ON AUG. 7**

Ohio Gov. John Kasich has set the elections in which voters will determine who will be nominated — and ultimately serve — the remainder of the term of resigning U.S. Rep. Pat Tiberi.

### **OHIO GRADUATION REQUIREMENTS MIGHT BE SOFTENED FOR CLASSES OF 2019 AND 2020**

The Ohio Board of Education is expected to urge lawmakers next week to back off tougher new requirements to graduate high school for at least another two years.

### **TAYLOR STAYS FIRM WITH GOVERNOR RUN; RENACCI REPORTEDLY CONSIDERING BID FOR SENATE**

Lt. Gov. Mary Taylor plans to stay the course with her run for the Republican gubernatorial nomination and will not seek to replace Josh Mandel in the GOP quest to unseat Democratic Sen. Sherrod Brown this year.

### **38 SPECIES OF INVASIVE PLANTS NOW ILLEGAL TO SELL IN OHIO**

Ohio is taking a swing at nature's bullies.

### **ECOT CASE PROMPTS CALLS FOR BETTER RULES TO VERIFY STUDENT**

#### **ENROLLMENT**

As the Ohio Supreme Court prepares to hear arguments in ECOT's lawsuit regarding repayments for unverified students, some legislators say it's time for more clarity.

### **TOP OHIO HOUSE GOP AIDE LEAVING FOR CAMPAIGN ROLES**

After 15 years in the Ohio House, having worked his way up from low-level page to chief of staff for the speaker, Mike Dittoe is stepping down.

### **OHIO PURGE OF VOTER ROLLS GETS SUPREME COURT SCRUTINY THIS WEEK**

To the state of Ohio, it is nothing more than a housekeeping device to keep the voting rolls up to date.

### **OHIO SCHOOL DISTRICTS ANXIOUS FOR REFUNDS FROM ECOT'S \$60 MILLION**

#### **REPAYMENT**

The checks are not yet in the mail, but they will be coming.

### **WILL 2018 BE THE YEAR OF THE WOMAN? SIGNS POINT TO YES**

On any given year, EMILY'S List — the Democratic organization that recruits pro-choice women to run for office — draws the interest of a few hundred women thinking of running for office.

### **EDITORIAL: LEGISLATURE FAILED OHIO CONSUMERS**

The Ohio legislature's blinkered priorities and pandering to industry interests is made plain in its failure to end the abusive practices of "submetering," which forces more than 28,000 households in central Ohio alone to pay heftier electricity and water bills.

## **Dayton Daily News**

[www.daytondailynews.com](http://www.daytondailynews.com)

### **GROUP PUSHING BALLOT MEASURE TO INCREASE REGULATION OF PUPPY MILLS**

Following a dramatic showdown between animal rights groups and agriculture heavy weights seven years ago, Ohio struck a deal to bring about sweeping reforms for how farm animals are handled.

### **ARE YOU OWED MONEY? OHIO'S UNCLAIMED FUND HITS \$2.6 BILLION**

Now that the holidays are over and the credit card bills are due, it might be a good time to check to see if the state of Ohio is hanging onto any money you forgot about.

### **ARE OHIO'S LICENSING RULES OUT OF WHACK?**

It takes nearly a year of training to become a licensed barber in Ohio, but one can become an advanced emergency medical technician — with the ability to administer narcotics — in less than six weeks.

## **THE PLAIN DEALER**

### **JOSH MANDEL DROPS OUT OF THE SENATE RACE**

Republican Ohio Treasurer Josh Mandel announced Friday his withdrawal from the race for U.S. Senate.

### **JEFF JOHNSON, FORMER CLEVELAND COUNCILMAN, PLANS TO CHALLENGE OHIO SEN. SANDRA WILLIAMS IN MAY PRIMARY**

Jeff Johnson, just days after leaving office as a Cleveland council member following an unsuccessful run for mayor, says he plans to challenge Ohio Sen. Sandra Williams in the May Democratic primary.

### **WHAT ATTRIBUTES SHOULD A HIGH SCHOOL GRADUATE HAVE? IT'S NOT JUST THE "THREE R'S" ANYMORE**

What should a high school graduate look like in Ohio?

### **OHIO STILL HAS A POLITICAL GENDER GAP, BUT NOT IN THE RACE FOR GOVERNOR: A WOMAN'S PLACE**

Betty Sutton knows what it's like to be the only female politician in a room full of men.

### **VOTING IN OHIO MATTERS - LOOK AT THE 141 TIES AND ONE-VOTE RACES IN THE LAST FIVE YEARS: THOMAS SUDDER**

Ohio's neighboring state once-removed, Virginia, showed last week why every vote counts in American elections.

## **THE ENQUIRER**

### **JOSH MANDEL'S SHOCKING EXIT HAS REPUBLICANS CONCERNED. AND THEY DON'T HAVE MUCH TIME TO REPLACE HIM.**

Minutes after Republican U.S. Senate candidate Josh Mandel quit the race Friday afternoon, reality set in for Republicans.

## **THE BLADE**

*One of America's Great Newspapers*

### **REPUBLICAN LAWMAKERS PUSH TO MAKE OHIO "RIGHT TO WORK"**

More than six years after voters resoundingly rejected similar proposals at the polls, a package of proposed constitutional amendments have been introduced to make Ohio the 29th state to enact "right to work."

### **OHIO VOTERS WILL HAVE MULTIPLE CANDIDATES TO CHOOSE FROM IN 2018**

Ohio faces a mixed bag of political races this year, with contests ranging from governor all the way down to local judgeships and leadership of the Lucas County Republican Party.

### **EDITORIAL: OPIOID AID FOR OHIO'S TOWNS**

Ohio, especially small-town Ohio, is now enduring a sociological and budgetary perfect storm.

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## NEWS

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Dennis Kucinich files paperwork to run for Ohio governor (Associated Press, 1/9/2018)

Lawmaker touts life change since his impaired driving arrest (Associated Press, 1/9/2018)

Ohio bans sale of dozens of invasive plants under new rules (Associated Press, 1/9/2018)

Dennis Kucinich to run for Ohio governor (Cincinnati Enquirer, 1/9/2018)

Mandel replacers: Latest update on who's in, out (Cincinnati Enquirer, 1/9/2018)

Proposed Ohio law would prevent forced nurse overtime (Cincinnati Enquirer, 1/9/2018)

Dennis Kucinich files paperwork for potential gubernatorial run (Cleveland Plain Dealer, 1/9/2018)

Former Cleveland Councilman TJ Dow may seek Ohio House of Representatives seat (Cleveland Plain Dealer, 1/9/2018)

Ohio still has a political gender gap, but not in the race for governor: A Woman's Place (Cleveland Plain Dealer, 1/9/2018)

Dennis Kucinich will join Ohio governor's race next week (Columbus Dispatch, 1/9/2018)

If Trump says to jump, Renacci will run for Senate instead of governor (Columbus Dispatch, 1/9/2018)

Justice O'Neill to announce running mate Tuesday in governor's race (Columbus Dispatch, 1/9/2018)

Ohio sued over racial quota on marijuana growing licenses (Columbus Dispatch, 1/9/2018)

10 Ohio professions that require licensing: Are they needed? (Dayton Daily News, 1/9/2018)

Democratic governor candidate Bill O'Neill to announce running mate (Dayton Daily News, 1/9/2018)

Group pushing ballot measure to increase regulation of puppy mills (Dayton Daily News, 1/9/2018)

If Trump asks, Renacci may run for Ohio's U.S. Senate seat (Dayton Daily News, 1/9/2018)

Gibbons trying to nail down front-runner status in GOP primary for U.S. Senate (Toledo Blade, 1/9/2018)

Republican lawmakers push to make Ohio "right to work" (Toledo Blade, 1/9/2018)

EDITORIALS

Beacon Journal/Ohio.com editorial board: To build a better state report card (Akron Beacon Journal, 1/9/2018)

Time for the people of Ohio to decide on right-to-work law (Cincinnati Enquirer, 1/9/2018)

Infrastructure ought to be next (Toledo Blade, 1/9/2018)

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OHIO HOUSE OF REPRESENTATIVES

Majority Communications Department

GOP Week in Review

12/31/17 - 1/7/18

WKSU: Ohio's Year in Review 2017: Changes to education policy

"Looking back, basically a time of transition and a time of starting to listen to what's going on in the field and starting to implement common-sense reforms as opposed to just mandates that people can't necessarily comply with," Brenner said.

Sandusky Register: Busy year for Shores & Islands

In April we were proud to provide support to the governor's office, city of Sandusky, Cedar Point, state Sen. Randy Gardner, state Rep. Steve Arndt, TourismOhio and others in hosting the governor's State of the State address at the Sandusky State Theatre.

The Advertiser-Tribune: SRPC, elections board ready to go

Reineke presented an Ohio flag and a U.S. flag that were flown over the state capitol building Dec. 19 as a gift to the elections panel. "I'm very happy to be here," he said. "We've all got to keep working together to make great things happen."

WOSU: Ohio lawmaker pushes for harsher penalties for parolees who fail drug tests

Republican state Rep. Niraj Antani, the bill's sponsor, wants to create more access to treatment facilities and says jails should not be used as detox centers. "But until that time, jail is simply the best place for someone to detox and to be safely placed if they are (using) heroin and fentanyl - until we can figure out something else for them," Antani said.

Mansfield News Journal: Community honors law enforcement with 'Spread the Light'

The evening ended with state Rep. Mark Romanchuk, R-Ontario, counting down to officers switching on the lights and sirens in more than a dozen police vehicles to officially "spread the light" and start the week.

Associated Press: Proposed Ohio law would prevent forced nurse overtime

State Rep. Robert Sprague, a Findlay Republican, said he's concerned that exhausted nurses working long hours can lead to preventable medical errors. "It's a recipe for problems," Sprague told The Dayton Daily News.

Findlay Courier: Sprague bill would ban forced nurse OT

A bill introduced in the Ohio House by state Rep. Robert Sprague, R-Findlay, would prohibit hospitals from requiring a registered nurse or licensed practical nurse to work overtime as a condition of employment.

Wilmington News Journal: Guest column from Speaker Cliff Rosenberger: Buckeye Pathway guides policy

This member-driven document outlines our priorities and serves as a roadmap to three objectives: improve Ohio's economic environment, enhance opportunities for all Ohioans, and strengthen families and communities. Halfway through this term, we have approved more than 30 bills that align with these principles.

Toledo Blade: Republican lawmakers push to make Ohio "right to work"

The resolutions are sponsored by state Rep. John Becker (R., Cincinnati) and state Rep. Craig Riedel (R., Defiance). ... "It's not so much that I'm opposed to unions," Mr. Riedel said. "I believe strongly that employees ought not to be required to pay fair-share fees if they choose not to join that union. If that individual chooses not to be a part of that union, they're on their own. They would not get any representation whatsoever by that collective-bargaining agreement."

Your News Now: HB 336 plans to help Ohioans with suspended licenses

"This would help reduce the number of suspensions the bureau has to keep track of, it would also provide an incentive for a person to get insurance, get their license reinstated, and be able, if you're not able now to find a job because of lack of transportation, to be able to do that," said Rep. Bob Cupp, 4th District Rep for the State of Ohio.

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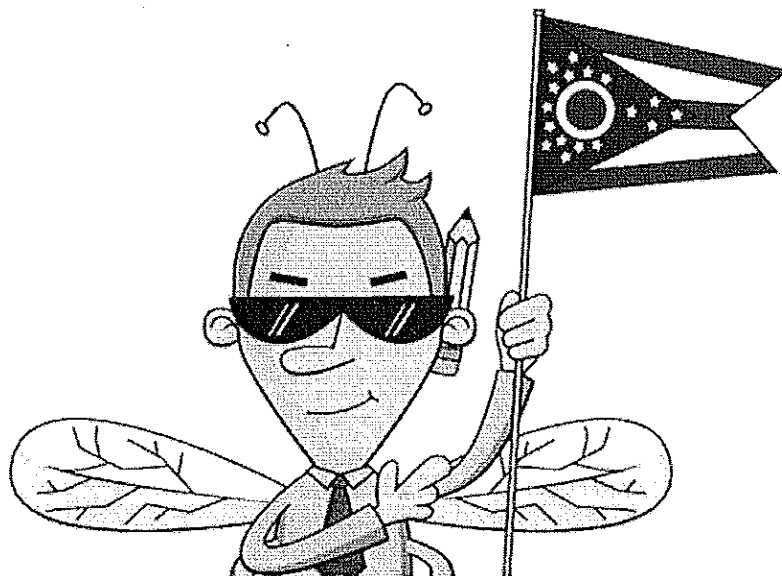
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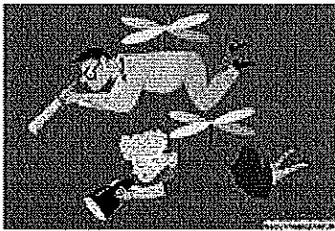
THE OHIO EDUCATION GADFLY BI-WEEKLY

VOLUME 12 NUMBER 2 | JANUARY 16, 2018

HOW OHIO'S WALK BACK ON GRADUATION REQUIREMENTS IS LIKE OVERPROTECTIVE PARENTING

By Jamie Davies O'Leary = 9

OPINION



COMMENTARY

How Ohio's walk back on graduation requirements is like overprotective parenting

By Jamie Davies O'Leary

Ohio's efforts to expand competency-free high school graduation options are a wrong move and will be detrimental to the very young people it is supposed to help. [Read more.](#)



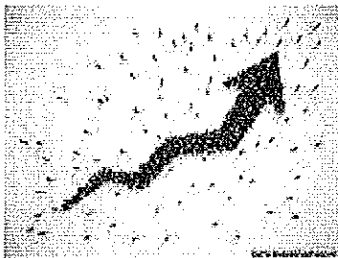
ANALYSIS

Ohio's new readiness seal: Soft skills, but a hard reality

By Jessica Poiner

Ohio's efforts to teach "soft" job skills to high school students are not problematic in themselves, but when this effort masks a lack of academic skills promulgated by a competency-free diploma, a good idea turns very bad. [Read more.](#)

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GUEST BLOG

The cohort graduation rate problem: What Ohio data tell us

By Jessica Shopoff, M.Ed. and Chase Eskelsen, M.Ed.

In an era of unprecedented school choice and student mobility, the traditional four year graduation rate calculation is unhelpful. It also serves to hide both success and failure for high schools who educate these highly-mobile students. [Read more.](#)

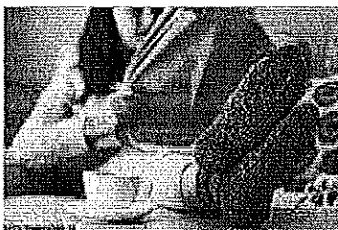


COMMENTARY

It's time to be more than just a critic

By Chad L. Aldis

Resorting to hyperbole and ad hominem attacks rarely solves problems, and there are real problems in Ohio education that need to be addressed. Let's resolve to do so thoughtfully and conscientiously in 2018. [Read more.](#)



COMMENTARY

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Four big education stories you might have missed over the holiday

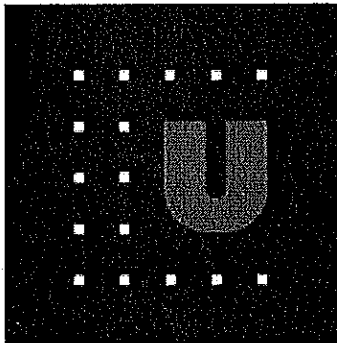
By Jamie Davies O'Leary

New right-to-work legislation and important revisions to teacher evaluations are just two important developments in Ohio education poised to gain significant attention in 2018. [Read more.](#)

SHORT REVIEW

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A birds-eye view of school funding policy in the U.S.

By Aaron Churchill

A concise and fascinating new policy brief from the Urban Institute provides a high-level analysis of school funding across the country. It is a worthwhile introduction to the complex world of school funding policy. [Read more.](#)

ICYMI




OHIO EDUCATION GADFLY | JANUARY 9, 2018 Statement on state board of education's recommended changes to Ohio graduation requirements

By The Thomas B. Fordham Institute

On January 9, 2018, the Ohio state board of education voted to recommend extension of previously-relaxed graduation requirements for the class of 2018 to the classes of 2019 and 2020. [Read more.](#)

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OHIO REPORT TUESDAY, JANUARY 23

Lawmakers Urged To Find Bipartisan Agreement On Redistricting Revamp; Sponsor Says Changes Afoot

Battle Lines Hold Firm On Right-To-Work, Prevailing Wage Proposals

Health Plans Raise Privacy Concerns With Claims Information Bill

Senate Democrats Scrutinize SNAP Fraud Bill

Telecom Update Would Drive Investment, Industry Group Says

Groups Call For More Specificity On Bail Assessment Tools

ECOT Appeals Closure, Says Founder Will Waive Fees To Prevent Budget Shortfall

High Court Sides With Arrestee In Dispute Over Purse Search

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Volume #87, Report #15 -- Tuesday, January 23, 2018

Lawmakers Urged To Find Bipartisan Agreement On Redistricting Revamp; Sponsor Says Changes Afoot

A key Ohio business group told legislators Tuesday that it could get behind a proposal to change how congressional districts are drawn in Ohio - as long as the plan has "strong" buy-in from both parties.

The sponsor of the proposal, meanwhile, said he wouldn't move forward with process changes without bipartisan support, and that several changes to reach that goal are already under consideration.

Keith Lake, vice president of government affairs for the Ohio Chamber of Commerce, told members of the Senate Government Oversight & Reform Committee reviewing the GOP's resolution (SJR 5) that his group prefers the approach taken in 2015, when a bipartisan agreement led to a General Assembly-backed ballot issue on legislative redistricting that was later approved by more than 70% of voters.

He noted the chamber had previously opposed two citizen-initiated constitutional amendments on the same subject, while the 2015 issue "was put on the ballot by overwhelming bipartisan majorities of the General Assembly and, most importantly, prevents one political party from controlling the process."

"The Ohio Chamber would prefer the congressional redistricting process be revised the same way - beginning with a proposal put on the ballot by the General Assembly after it has garnered support from strong bipartisan majorities," Mr. Lake said.

"While a step in the right direction, SJR5 is not yet that. Unfortunately, what we've observed up to this point is much criticism of SJR5 but not much in the way of constructive feedback. We urge everyone to work together to find a solution that does what our board urged in its 2012 resolution: develop 'an accountable, bipartisan approach that Ohio voters can rely on to produce effective reform and fair congressional districts.'"

Echoing opponents of the measure, Mr. Lake said it's important to revise the process appropriately because the current system "isn't working for Ohioans."

"It leads to diminished General Election competition and contributes to intensified partisanship and contentiousness, which turns off otherwise qualified potential public servants from pursuing office," he said.

Sen. Michael Skindell (D-Lakewood) said Democrats were ready to work on an agreeable plan, but Republicans have been reluctant to do so and instead rolled out a resolution without their input.

"We agree with you a measure needs to be bipartisan," he said.

Sen. Matt Huffman (R-Lima), the resolution sponsor, said he has "no intention of moving forward with a resolution out of the Senate...unless there is a change of Democratic support for it." He added that a one-sided plan would likely lose at the ballot anyway.

At that point in the committee hearing, the sponsor informed the audience that several changes were in the works, including making the commission's product a bill that must receive the governor's signature and be subject to a referendum. Taking the governor out of it was his idea, but people don't like it, he acknowledged.

In an interview before the hearing, Sen. Huffman said other changes under consideration would address several of the opponents' complaints with his package.

Those include "tightening language" on county splits and removing the provision dealing with one man, one vote requirements, he said. Altering the percentage of minority party buy-in on maps is also under consideration.

The sponsor said he plans more meetings with interested parties on the measure, which will not be voted out of committee Wednesday despite being slated for possible movement.

He hopes to resolve the differences over the next several days and have the resolution ready for a committee report next Tuesday, Sen. Huffman said. "I really think it's coming together."

Sen. Vernon Sykes (D-Akron) responded in committee to the sponsor's comments of the looming "substantial changes" by saying that Democrats would look closely at the totality of the plan and its expected results versus individual components.

"We are interested in addressing gerrymandering, not just changing how you do gerrymandering," he said.

Sen. Huffman responded, "We will work together on this and will come up with something good."

Mr. Lake's testimony stood out Tuesday as coming from an "interested party." All of the other witnesses, including representatives of a group that's already circulating petitions for a citizen-backed constitutional amendment - Fair Districts=Fair Elections - were listed as opponents.

Among them was Heather Taylor-Miesle, executive director of the Ohio Environmental Council, who said a more bipartisan approach is key to ultimately creating "fair, representative policies" on matters impacting the environment and other areas.

"Bipartisan solutions are more likely when voters select their elected officials and not the other way around, and keeping communities together gives voters leverage to demand action on the pollution going into the neighborhood creek or attention to the quality of their air," she said.

Ms. Taylor-Miesle raised several concerns with the approach laid out in the proposal at hand, including issues related to one person, one vote requirements, splitting of communities and the mapmaking process.

"The requirement under SJR5 to draw districts the exact same population size, with only a variance of plus or minus one person, basically negates any other criteria that could be followed," she said. The community splitting guidelines in the resolution are also problematic because they would be applied unevenly across the state.

Regarding the proposed mapmaking approval process, she added, saying at least 50% of the minority caucuses should be required.

"However, our bigger concern is the commission process outlined if the legislature fails to meet the deadline," Ms. Taylor-Miesle said, citing the ability to pass a four-year plan by a simple majority and then potentially turn it into a 10-year map.

OEC also raised concerns with the lack of a referendum option in the measure and its definition of "compact."

Sen. Huffman called the objections "meritorious arguments" but pointed to the varying sizes of cities and townships and asked if the preference would be to base on population. The witness said it was open to discussion on how to "get there" with the goal of ending up with bipartisan districts.

Asked about the group's objections to the judicial review aspect of the resolution, Ms. Taylor-Miesle said her group was looking for more clarity on language regarding Supreme Court review.

Chairman Sen. Bill Coley (R-Liberty Twp.) got into a debate over the Fair Districts proposal with one of several citizens who showed up to testify on their own behalf and express preference for the pending ballot initiative that supporters have said has already attracted some 200,000 signatures.

He asked Jane Cape, a Springfield resident, to explain the legal definition of "representational fairness" in the Fair District plan and how she would defend it in court.

After saying she was not a lawyer and wouldn't be in court under such a scenario, she replied that it was something that results in elections not being decided at the primary level.

As she continued to make her case, the chairman interjected that he had heard all of the "rhetoric" and "histrionics" over the matter, prompting a rebuke from Ms. Cape.

The result was applause from the audience and a subsequent gaveling from the chairman.

Another citizen, Wendy Dyer from Bellbrook, chastised the majority for presenting a plan that she said "legalizes gerrymandering" and was an attempt to get out ahead of and "circumvent" the public initiative.

Ann Henkener of the League of Women Voters of Ohio and a chief proponent of the Fair Districts=Fair Elections campaign, said the Huffman resolution "does nothing to rein in partisan gerrymandering and takes away an important right that voters in Ohio currently have - the right to referendum," while acknowledging the sponsor's prior statement that changes were in the works in that regard.

"Voters also have a right to fair representation and SJR5 perpetuates the ability of the majority party to draw districts designed to gain a disproportionate majority of seats for their party," she said in her prepared remarks. "I urge this Committee to reject this proposal and substitute a plan that will require bi-partisan support to adopt a redistricting plan, keep communities together, and not permit plans to be drawn to primarily favor or disfavor a political party."

Sen. Coley asked why, if the ability to referendum the map was so important, the ballot group didn't include it in their proposed constitutional amendment.

Ms. Henkener responded that the Fair Districts plan wouldn't result in a bill, and that as far as she knows no other state with a commission-based system allows for referendums.

The chairman also queried the LWVO representative on the definition of representational fairness.

She said it deals with the relation between the state's overall political leanings and the number of Congress members representing each party, or "keeping representation connected to the votes."

If 55% of Ohioans vote for Republicans, for instance, then the number of GOP representatives should reflect that split, she said.

Supporters of the citizen-backed ballot issue are not seeking a "concrete result," rather they are "looking for an opportunity" for both parties in the general election, Ms.

Henkener said. Under the current system, majority partisans "get an advantage that they really don't have with the electorate."

Sen. Coley said in response, "I don't think that's what your proposal does, but I appreciate" your aspirations.

All told, about 15 people testified or provided written comments in opposition to the proposal on Tuesday, with most largely reiterating objections aired previously by the Fair Districts group. (See Gongwer Ohio Report, January 22, 2018)

The House's version of the majority GOP's proposal, which Sen. Huffman said would follow along the lines of changes he is already considering, is slated to be discussed Wednesday in the chamber's Government Accountability & Oversight Committee.

Subscribers Note: Full testimony is available on the committee's website under Jan. 23.

Battle Lines Hold Firm On Right-To-Work, Prevailing Wage Proposals

Sponsors of a slate of right-to-work and prevailing wage resolutions said Tuesday they're confident caucus leaders will exercise their "due diligence" when considering whether to move forward.

But they acknowledged that they have yet to formally poll the House Republican Caucus on where members stand regarding their six joint resolutions introduced last month. (See Gongwer Ohio Report, December 21, 2017)

A spokesman for House Speaker Cliff Rosenberger, meanwhile, reiterated that the Clarksville Republican is open to having the conversation even as Democrats and a top labor group continue blasting the proposals as "anti-worker."

"The speaker is open to having a caucus discussion about this issue, and he believes doing so is very important before any further decisions or determinations are made in regards to these proposals," spokesman Brad Miller said.

Speaking at a Statehouse press conference, Rep. Craig Riedel (R-Defiance) and Rep. John Becker (R-Union Twp.) said they've been encouraged by the speaker's open-mindedness thus far.

"We've spoken with Speaker Rosenberger and we're going to be bringing this up in caucus very soon," Rep. Riedel said. "Hopefully within the next week or two we'll have a caucus discussion over these issues, these resolutions."

If adopted by lawmakers - a three-fifths majority is required - the proposals would head to the 2020 ballot where sponsors said Ohioans of all political persuasions can weigh in to settle the matter once and for all.

"We're not ramrodding anything," Rep. Riedel said. "People are going to say we are, but we're not. Everybody is going to have a say in the matter and everybody will have the opportunity to vote on this."

Two of the resolutions would ban any laws, rules or agreements requiring public and private sector employees to join or pay union dues (HJR 7~~00~~) and prohibit unions from representing non-members in employment matters (HJR 8~~00~~).

The other four, which Rep. Becker deemed more "ancillary in nature," would: prevent public authorities from requiring prevailing rate of wages (HJR 9~~00~~), forbid certain requirements or prohibitions regarding labor agreements in government contracts (HJR 10~~00~~), subject any public employee collective bargaining representative to an annual election to remain certified as the exclusive representative (HJR 11~~00~~), and prohibit dues and other fees from being deducted from the payroll check of a public employee (HJR 12~~00~~).

Unions and Democrats are already pushing back against the resolutions, saying Ohioans already voiced their opinions on the matter by repealing a 2011 law that limited collective bargaining for public employees (SB5, 129th General Assembly).

"Instead of restrictions to make working people poorer and less safe on the job, we should prioritize commonsense ideas that grow our economy and create good-paying jobs that give working families the opportunity to get ahead," Minority Leader Fred Strahorn (D-Dayton) said. "The Republican package of so-called 'right to work' legislation is wrong for working families and wrong for Ohio."

But Rep. Becker said there is "very little to almost nothing" in their new plans that overlaps with the contents of SB5 - an argument AFL-CIO President Tim Burga isn't buying. Mr. Burga said both SB5 and the current proposals are politically-motivated attempts to enact "anti-worker, anti-union" laws.

"You're picking a fight for political reasons at a time when Ohioans can least afford these sorts of unnecessary distractions," Mr. Burga said. "If they've not learned a lesson from SB5 I don't know what it's going to take to wake them up. But I am confident the General Assembly is not interested in introducing proposals that simply are going to take away workers' voices and drive down wages, which is what these things do when you look at them where they've been implemented in other states."

As far as driving down workers' wages, Rep. Riedel insists the opposite; he said his rationale behind the legislation is that it will assist the impoverished in his district by enabling them to keep more of their earnings.

"This is not an affront to unions, this is not an affront to collective bargaining," the sponsor said. "This is all about workers' rights and workers' freedom and being able to choose whether they want to be part of a union and worry about paying fair share fees."

Rep. Becker said that should the resolutions pass the General Assembly he's already envisioning a public campaign from opponents seeking to derail the ballot initiatives. He anticipates the campaign will play out like efforts to repeal the 2011 law.

"At least we'll know what to expect this time," Rep. Becker said.

We Are Ohio, a group that formed in 2011 to oppose SB5, issued a statement denouncing the resolutions as "the Dirty Half Dozen."

"Reps. Riedel and Becker are carrying water for out-of-state interests like the Koch brothers and the American Legislative Exchange Council," the group said. "There are no workers lining up behind these dangerous, divisive and disastrous ideas for Ohioans. Right to Work is wrong for Ohio. Don't trust it."

Rep. Becker said fellow Republicans have shared concerns that the proposals' potential place on the 2020 ballot might drive more Democratic voters to the polls in an important presidential election year.

Rep. Becker said he doesn't adhere to that line of thinking and instead believes Republicans will be more motivated to turn out to the polls compared to Democrats who are already typically mobilized for presidential elections.

Rep. Riedel added that the sponsors feel they need more time to educate the public on their propositions than they would have if they targeted the 2018 ballot.

But there is one concern that could have merit, Rep. Becker acknowledged, and that's whether the private sector right-to-work resolution flies in the face of federal employment law. In talking with the Legislative Service Commission, he said, the answer to that question has remained unresolved.

"Is it a violation of federal labor law?" Rep. Becker asked. "It could be. It's not clear whether it is or isn't."

Health Plans Raise Privacy Concerns With Claims Information Bill

Health insurers and a patient advocacy group urged lawmakers Tuesday not to move forward with a proposal to give small employers access to certain health claims data, saying it could jeopardize employee privacy.

The groups testified against the bill (SB 227) before the Senate Insurance & Financial Institutions Committee.

The bill is designed to help small businesses make better decisions in buying insurance by giving them aggregate, de-identified information about claims made under their plans.

Miranda Motter, president and CEO of the Ohio Association of Health Plans, opposed the measure, saying it would require plans to disclose protected claims information to small employers.

The disclosures could allow employers to identify specific employees for whom the claims data relates, she said. The bill requires the disclosure of all potential catastrophic diagnoses and prognoses involving persons covered under the policy.

"Small employers with fully insured plans are generally not entitled to know about the medical diagnoses, prognoses, and treatment of employees, which is personal in nature, without the employee's consent and providing claims data to small employers raises privacy concerns for employees," she said.

Smaller employers are much more able to associate claims data with specific employees than large employers, Ms. Motter said.

Federal health privacy laws have strict requirements regarding when protected health information can be shared with employers, who are not directly regulated by HIPAA, she said.

"Given that employers are not directly subject to HIPAA, sharing health information with employers creates substantial privacy risks," she said. "In fact, these substantial risks are exactly why HIPAA created significant barriers to sharing PHI with employers."

Small group plans are also priced based on demographic factors, not claims data, meaning they don't need claims data in order to purchase and maintain coverage, Ms. Motter said.

OAHP is working with other stakeholder groups to develop policies aimed at reducing the cost of health care, and Ms. Motter urged the committee not to move forward with the bill yet.

Sen. Steve Wilson (R-Maineville) asked why the line between small and large employers was set at 50.

"The larger the employee group, the harder it becomes to re-identify, even in a de-identified way, the employee affected," Ms. Motter said.

Small employers could benefit from being able to compete directly against larger businesses in that market, Sen. Wilson said.

If health insurance costs are increasing, it's because the underlying cost of care is high, Ms. Motter said.

"Part of what our effort has been is if we're going to see insurance costs go down, we have to get at the underlying cost of health care," she said.

Holly Pendell, with the National Multiple Sclerosis Society, raised concerns that the bill would allow small businesses to identify employees with MS.

"Protecting against discrimination in employment and many other aspects of American life has been a core component of the education and understanding that the MS Society has promoted since our establishment," she said.

"I urge you to err on the side of the consumer today and of the protections given to them by law," she added. "We must not tip the balance away from comprehensive benefits and medical privacy protections and return to era where employees live in fear of being outed due to their medical diagnosis."

Senate Democrats Scrutinize SNAP Fraud Bill

Democrats questioned a bill intended to reduce fraud in the food stamp program by requiring photos on benefit cards as the measure had its first hearing in the Senate Tuesday.

The sponsor of the bill (HB 504) told the Senate Health, Human Services & Medicaid Committee that it wouldn't reduce benefits, but would deter recipients from selling or trading cards.

Rep. Tim Schaffer (R-Lancaster) said the bill is designed to protect the integrity of the Supplemental Nutrition Assistance Program, deter trafficking in SNAP cards and preserve funds for those in need.

The bill stems from an audit of the SNAP program by State Auditor Dave Yost that found weaknesses. Those included excessive balances in accounts, unusual transactions, 36 deceased recipients and more than \$28.7 million in out-of-state spending.

The measure would require that photos be added to EBT SNAP cards, safeguarding benefits of those who are legally entitled to them and deterring and detecting crime where cards are sold or traded, Rep. Schaffer said.

"SNAP is an important safety net for those in Ohio who have fallen on rough times, and I believe that a vast majority of individuals enrolled in the program need the benefits," he said. "As lawmakers, we have a responsibility to assure program integrity."

The bill includes exemptions to the photo requirement for adults 60 and older, blind and disabled citizens, victims of domestic violence or people with a religious objection to being photographed.

Retailers would not be required to check the photo ID at check-out, nor would they be allowed to hinder or prevent anyone's purchase because of the photo ID. Retailers would be able to call a phone number to report suspected fraud.

The bill also includes an opt-in provision for any adults exempted from the photo requirement who wish to have a photo on their cards, and allows the Bureau of Motor Vehicles to share photos on file. Both of those provisions were added in committee in the House.

Sen. Edna Brown (D-Toledo) said she was confused about the need for the bill. She asked about the provision that would prevent clerks from interfering with transactions.

The sponsor said the presence of a photo would deter people from trading or selling the cards, and that it would make it easier for drug investigators who find stacks of EBT cards at drug houses.

"This is just another layer of security," he said. "Frankly, this is not going to be a cure-all bill to solve all fraud. But it'll be a big deterrent and it'll cut a big hole in the crime that's going on."

Sen. Brown asked why the presence of names on EBT cards doesn't deter sales or trading.

Rep. Schaffer said he believed photos would provide additional deterrents.

Sen. Brown said law enforcement officers can already track EBT cards back to their owners if they are found.

"If we want to try to curtail misuse of these cards, I'm willing to work with anyone who wants to curtail it, but putting a photo on it is not the way to do it," she said.

Sen. Charleta B. Tavares (D-Columbus) said the bill implies that people whose cards are found in the possession of drug dealers are involved in drugs or are selling them.

"That is not evidence that that person is involved in drugs," she said. "There are many cards that are stolen out of mailboxes. There are many drugs that are stolen out of purses, or out of cars. They're stolen or they're lost."

Rep. Schaffer said the vast majority of beneficiaries need the program, and he wouldn't support a bill that curtailed benefits to people who need help. The bill is designed to address the issue of fraud and ensure benefits are going to the right people, he said.

Sen. Tavares said many retail grocers are moving away from clerks and toward self-serve kiosks, where nobody will look at cards.

"How do you justify continuing when movement is to do away with clerks in our retail chains?" she asked.

The sponsor said clerks don't have a role unless they suspect fraud.

"It's a lot about deterrent," he said.

Telecom Update Would Drive Investment, Industry Group Says

The Ohio Telecom Association and its members on Tuesday told a panel of lawmakers that Ohio is overdue for a comprehensive update of telecom laws.

Their testimony, delivered before the House Public Utilities Committee, centered on a bill (HB 402) from Rep. Brian Hill (R-Zanesville) that aims to boost the competitiveness of local telephone providers. (See Gongwer Ohio Report, November 13, 2017)

The bill's major change would enable carriers to pursue from the Public Utilities Commission of Ohio rate increases of \$1.25 a month or 20% depending on which is higher. Currently, those providers in competitive areas can seek increases of only \$1.25 a month.

OTA President Charles Moses described the sector as a "dynamic industry that continues to change every day" - a description spelled out in a 2017 study released by the group that prompted the bill. (See Gongwer Ohio Report, October 20, 2017)

"In this type of environment, it is hard for laws and regulations to keep up," Mr. Moses said. "Traditionally, Ohio has been a leader in progressive telecom policy. However, it has been eight years since the last major update to Ohio's telecommunications laws took place."

The Ohio Consumers' Counsel, however, has already called for the bill to be rejected, arguing it would "favor telephone companies against the interest of Ohio consumers, including by allowing 20% annual increases for basic phone service."

The proponents, in turn, argued that companies are incentivized not to raise rates too high because customers will simply seek out other service providers.

"No one is interested in losing customers," OTA General Counsel Scott Elisar told lawmakers.

Rep. John Rogers (D-Mentor-on-the-Lake) questioned how much this might cost consumers. Mr. Elisar provided a few specific companies as examples, saying on average it would amount to a few dollars a year.

Mr. Elisar called the bill "an effort to update old laws, modernize state policy, and level the playing field for all providers in response to explosive competition we've seen in the past decade."

The OTA suggested the bill would: provide additional pricing and regulatory flexibility, mirror Ohio law with federal guidelines, and "clean-up" items from the prior legislative overhaul (SB 162, 128th General Assembly).

Specific policy updates included in the bill, according to Mr. Elisar, include:

- Updating the state's policy statement to recognize emergence of competition and market forces.
- Expanding 911 immunity to include corporate parents and affiliates.
- Eliminating treble damages remedy against telephone companies while ensuring telephone companies remain liable for actual damages.
- Providing that no provision of the bill affects existing contractual obligations or rights under federal law or rules.

Josh Motzer, public policy director for CenturyLink, said the bill will provide a "pathway for future technology investments here in the state."

And Bruce Mottern, chairman of the Rural Broadband Association, said it's critical to eliminate competitive advantages among certain carriers. The bill, he said, would clear regulatory burdens from rural providers in order to better meet customer demands.

In addition to the \$1.25 or 20% increase, Mr. Mottern said, the bill will enable small local exchange companies to increase rates by any amount necessary to meet federal benchmarks. In that case, the PUCO could enact a three-year phase-in to lessen consumer impact, he said.

"This flexibility allows companies to manage their businesses based on operational, financial and competitive needs," he said. "There are plenty of alternative voice service providers in Ohio; the last thing a company wants to do is lose a valued customer."

Groups Call For More Specificity On Bail Assessment Tools

A bill designed to drastically overhaul the bail system in Ohio needs more work, members of the House Criminal Justice Committee were told Tuesday.

Representatives from the ACLU of Ohio and the Office of the Ohio Public Defender suggested several changes to the legislation (HB 439) requiring the Criminal Sentencing Commission to create a list of validated risk-assessment tools to be used by courts across the state in making decisions on bail.

But Niki Clum, legislative liaison for OPD, said not all risk-assessment tools are created equal.

She said Lucas County's use of the "Arnold Tool" has doubled the number of individuals released without monetary bail while also reducing pretrial crime and the number of individuals who fail to appear in court.

"Under the current language of the bill, the Sentencing Commission is not required to examine the risk-assessment tools and determine which are best," Ms. Clum said. "They are only required to provide a list of those that are validated. OPD is concerned that some risk assessment tools may contain implicitly biased questions that result in disproportionate outcomes based on race, ethnicity or gender."

Ms. Clum also called for the bill to require courts to set the least restrictive bail conditions and use monetary bail as a last resort.

Gary Daniels, chief lobbyist for the ACLU of Ohio, echoed those sentiments. He also called for the measure to eliminate monetary bail for all misdemeanor charges and some felony charges and for requiring the collection of race-based data.

"By tracking race of the accused, stakeholders can help determine where in Ohio, and by how much, Ohio's bail system and the changes HB439 creates, affects people of color," he said. "Flaws can also then be addressed and successes can be expanded. Collecting race data throughout Ohio's justice system is already severely lacking. With HB439, we can make progress in one aspect."

But Ms. Clum and Mr. Daniels said that, minus any changes, the bill is still an improvement over the current system. Both testified as interested parties.

Daniel Dew, legal fellow at the Buckeye Institute, warned in interested party testimony that the \$2 billion per year bail bond industry will likely push back against the bill.

"How pretrial detention decisions are made is left to the state," he said. "The goal of a pretrial system should be to release as many defendants as safely as possible before trial, and for defendants to show up for court."

Rep. Bill Seitz (R-Cincinnati) questioned how much an ability to pay should be weighed in bail decisions.

Mr. Dew said that is just one factor to be taken into consideration. He said under current law, courts will set an extremely high bail for individuals deemed to be dangerous with the hope that they cannot pay.

"Not only does this make it more fair, it takes judges and prosecutors out of the position of asking for a \$2 million bail knowing somebody isn't going to make it," he said.

Rep. Seitz also questioned how effective the risk-assessment tools are in lowering failure to appear rates.

Mr. Dew said in every study he has read the rate has been the same or lower.

Sara Andrews, director of the Criminal Sentencing Commission, said the bill reflects the recommendations of an Ad Hoc Committee on Bail and Pretrial Services that was formed in 2016.

"Those recommendations are designed to be holistic and focus on achieving consistency, fairness and efficiency in the pretrial system while decreasing the reliance on monetary bail," she said in proponent testimony. "As such, the use of a validated risk assessment instrument to inform release or detain decisions - realizing that bond should be 'risk' based and not 'charge' based - is recommended. The use of a risk assessment tool is one more resource a judge can use to inform decisions and ensure equity in all steps of the bail-setting process."

Rep. Seitz raised several concerns with the bill, including what he called an "impenetrable black box" in the form of the "Arnold Tool" used in Lucas County.

Ms. Andrew said that may have been the case at one time, but that has since changed. "I believe that it is more accessible and publicly available," she said.

The panel also received proponent testimony from FreedomWorks and the American Conservative Union Foundation.

Patrick Plein, a policy analyst at the ACUF's Center for Criminal Justice Reform, said studies have found that the likelihood of being rearrested or recidivating increases when an individual is held in pretrial confinement.

"The impact of this worrisome trend goes far beyond any one defendant," he wrote. "Anything that encourages recidivism means another crime, which is another victim, another prosecution, and another cost to be borne by the public. The current system in Ohio does just that. As a result, Ohioans are paying more in taxes for less public safety, because of the current approach to bail."

Parma Municipal Court Judge Kenneth Spanagel also provided written interested party testimony in which he urged the panel to move the bill.

ECOT Appeals Closure, Says Founder Will Waive Fees To Prevent Budget Shortfall

The Electronic Classroom of Tomorrow is appealing the decision that shut it down, saying it could remain fiscally stable through the end of the school year by no longer paying management and learning platform fees.

The e-school's sponsor, Educational Service Center of Lake Erie West, voted last week to suspend operations of the school amid financial concerns.

ECOT is strapped for cash because it's repaying the state for \$80 million in overpayments tied to attendance audit findings, which are being disputed in a lawsuit pending before the Ohio Supreme Court.

In its latest appeal, ECOT said its founder Bill Lager, who owns the management company and learning platform used by the school, has agreed to forgo payment for the

rest of the year to allow the school to reopen and finish out the academic year in the black.

Also part of the deal is continued monthly repayments to the state and an agreement that an interim master could be appointed by a court to oversee ECOT operations through the end of the school year.

"This is truly the best option for the thousands of ECOT families who have been grappling with this devastating news that their school would be closing its doors mid-year," ECOT spokesman Neil Clark said. "This plan effectively gives supervision of the school to a court-appointed master to ensure the school continues out its mission for a few more months while we wait for a favorable response from the Ohio Supreme Court."

Mr. Clark also took a shot at the Department of Education, which rejected a similar deal immediately prior to the sponsor's vote to shut down the school last week. That proposal also promised that ECOT wouldn't file any future lawsuits against the agency regarding attendance audits.

"Bill Lager suspending his fees through June shows another attempt to keep ECOT alive. It is unfathomable that the powers at be at ODE and the Governor's office aren't protecting ECOT students and families," he said.

ODE Spokeswoman Brittany Halpin defended the agency's handling of the situation, saying that it has attempted to work with ECOT for the last two years to resolve issues related to overpayment and full-time attendance audits.

It has become clear in that time, she said, the school and its backers have never intended to accurately report student participation, which determines funding.

A hearing officer this week confirmed the latest audit report findings that show the school over reported the number of full-time students again last school year. The State Board of Education is expected to vote to approve that report, which cites \$20 million in overpayments, at its February meeting.

"Based on their actions, the department has no confidence that ECOT intends to follow the law. We're disappointed that ECOT and its for-profit vendors, IQ Innovations and Altair Learning Management, continue to prioritize their monetary gain over the best interests of 12,000 students," Ms. Halpin said in a statement.

However, lawmakers on Tuesday also called on the state to step in to keep ECOT open until June, giving students and teachers time to evaluate their options for moving on to a new school next year.

They stressed that every day the school is closed, 12,000 students - including more than 2,200 seniors who were on track to graduate this spring - are falling farther behind in their schooling.

"It would be ideal if we could finish the school year," Rep. Andy Thompson (R-Marietta) said during a Statehouse news conference.

Rep. Andy Brenner (R-Powell), chairman of the House Education and Career Readiness Committee, said there's also concerns about ECOT teachers who will have difficulty finding work mid-year.

Like Mr. Clark, he said ODE could have prevented the midyear closure of the school by setting up a different repayment plan.

"While it's not the department's responsibility to close the school but that of the school sponsor, the department created the environment that caused the school to close midyear," Rep. Brenner said. "This is not to say that ECOT wasn't responsible for their actions, but the midyear closing could have been mitigated or prevented."

Rep. Brenner said he's working on legislation that would "prevent this from happening again."

The potential bills could prohibit the department from setting retroactive rules and require it to use forensic accounting and other options for determining whether students were active in learning opportunities when log-in records can't be produced, he said.

He said he'd also like to ensure that schools don't close in the middle of the year and ODE has firm plans in place to assist displaced students and teachers when schools do shut down.

"Every day that they're not in school is another day that they're not able to learn and be able to go and potentially this graduate...or go on to the next school year," Rep. Brenner said of currently displaced ECOT students.

ECOT Assistant Principal Laura Beth McNamara said the school could resume operations immediately if the sponsor accepts the deal brought forward Tuesday.

"The student accounts are still there, most of them still have their equipment. We haven't had a chance to gather up 12,000 computers yet," she said.

She and the Ohio Christian Alliance have reached out to Gov. John Kasich and asked him to intervene and press the sponsor and ODE to consider options to keep ECOT open for the remainder of the school year.

"There is a way forward," OCA President Chris Long said before delivering his letter to the governor's office.

The governor told reporters last week that it wouldn't be appropriate for him to advise ODE on how to respond to the situation.

The superintendent of public instruction, who leads the agency, is not in the governor's cabinet and is instead hired by the State Board of Education to serve independently of the administration.

"It is up to them to manage this, to have a situation where if the sponsor pulls (its support)...that they're prepared to be able to absorb these students," Gov. Kasich said at the time. "We've told them that on a regular basis without getting in the middle of negotiations. We don't believe it's our job to do that. It's not appropriate."

High Court Sides With Arrestee In Dispute Over Purse Search

The Ohio Supreme Court on Tuesday ruled the warrantless search of a woman's purse was unconstitutional.

Writing for the majority, Justice Bill O'Neill found that the search, which turned up drugs, was not justifiable.

The case stems from the 2014 arrest of Jamie Banks-Harvey in Warren County after she was stopped by an Ohio State Highway Patrol officer and was found to have outstanding warrants on drug charges out of Montgomery County, the high court's media arm reported.

After she was detained and placed in a cruiser, the patrolman removed her purse from the vehicle she was driving, searched it and found drugs. Ms. Banks-Harvey was charged with felony possession of drugs and misdemeanor possession of drug paraphernalia.

She pleaded no contest to both charges after an unsuccessful attempt to suppress the evidence. She was sentenced to three years community control.

She appealed the trial court's decision not to suppress the evidence to the Twelfth District Court of Appeals, which upheld the ruling on the grounds that the OSHP has a policy of inventorying the belongings of an arrested person.

But Justice O'Neill found that both courts erred in their decisions.

"The question in this case is not whether the purse was taken from the car pursuant to a standardized law-enforcement policy, but whether such a policy was sufficient justification for the warrantless retrieval of the purse from the car," he wrote. "We conclude that it was not and therefore that the subsequent search of the purse did not qualify as a valid inventory search, because the purse had not lawfully come into the custody of the police."

He was joined in his decision by Justice Judith French and Justice Patrick Fischer. Justice Sharon Kennedy concurred in judgement only.

In her written opinion, Justice Kennedy noted that a local police officer showed up at the scene to take Ms. Banks-Harvey into custody.

"Even when a standardized procedure or policy permits an inventory search of an arrested person's effects incident to incarceration, it is unreasonable, within the context of the Fourth Amendment, for a law-enforcement officer to execute that inventory search when he is not taking the arrested person to a station house for booking and incarceration," she wrote.

"Moreover, it is unreasonable, within the context of the Fourth Amendment, for a law-enforcement procedure or policy to give an officer discretionary authority to take personal effects that are not in an arrestee's possession at the time of arrest and are safely secured be retrieved and taken to the station house, where they will be subject to an inventory search."

In a dissenting opinion joined by Chief Justice Maureen O'Connor, Justice Patrick DeWine found the search to be lawful.

"Here, despite the attempts to cast aspersions on the trooper's motivation, there is no evidence that the trooper's primary purpose was other than to secure the purse so that it could accompany Banks-Harvey to the station," he wrote. "That he was also on the lookout for illegal items does not render the inventory search unreasonable."

Justice Terrence O'Donnell also dissented, finding the case was improvidently allowed, saying "the Ohio State Highway Patrol policy is not in evidence, the case is factually specific, and no general rule of law can be formulated from its resolution."

Ohio Business: P&G Reports Sales Increase; Banks Report Year-End Financial Results...

Procter & Gamble saw net sales of \$17.4 billion in the second quarter, up by 3% from the previous year.

Organic sales were integral in the gain, increasing by 2% in the quarter ended Dec. 31, P&G reported. Diluted net earnings for all sales were \$0.83, a decline of 68% compared to the prior year due to a divestiture gain in the base period and a current period net income tax charge related to a federal tax package.

Operating cash flow was \$3.7 billion for the quarter, while adjusted free cash flow productivity was 91%, the Cincinnati-based company said. It returned \$3.6 billion of cash to shareholders via \$1.8 billion of dividend payments and \$1.8 billion of common stock repurchase.

"We accelerated organic sales growth and delivered strong productivity cost savings and cash flow," Chairman, President and CEO David Taylor said in a statement. "We remain on track to achieve our fiscal year objectives."

Huntington: The Columbus-based company saw a 67% increase in net income, which came in at \$1.2 billion for 2017. Earnings per common share for the year were \$1, up 43% from the prior year.

Return on average assets for year ended Dec. 31 was 1.17%, while return on average tangible common equity was 15.7%, the bank reported. Total revenue increased 22% compared to the previous year.

The results exclude about \$152 million pretax of FirstMerit acquisition-related expenses, or \$0.09 per common share after tax, and an estimated tax benefit of \$123 million, or \$0.11 per common share, related to federal tax reforms enacted in December.

"We achieved our long-term financial goals for Return on Tangible Common Equity and Efficiency Ratio on a GAAP basis for the first time," chairman, president and CEO Steve Steinour said of the final quarter of the year. "In fact, during the fourth quarter, we achieved all five of our long-term financial goals. In addition, we recently began the strategic planning process that later this year will yield new long-term financial goals for the company."

Community Investors Bancorp: The parent company of First Federal Community Bank of Bucyrus reported net earnings of \$561,000, or \$0.71 per share for the second half of 2017. The total represents a 45.3% increase from the same period in 2016.

Total assets as of Dec. 31 were \$145 million, which is an increase of \$1.6 million from June 30, the company announced. Meanwhile, investments increased by \$500,000 and the allowance for loan loss increased by \$135,000.

First Financial: For the three months ended Dec. 31, the company reported net income of \$24.8 million, or \$0.40 per common share, which is unchanged from the previous quarter.

Return on average assets for the fourth quarter was 1.13% while return on average tangible common equity was 13.85%.

In 2017, the company had earnings per diluted share of \$1.56 compared to \$1.43 for 2016, it reported.

Peoples Bancorp: The company posted a record full-year net income of \$38.5 million, or \$2.10 per diluted share. In the fourth quarter, the company reported net income of \$9 million, or \$0.49 per share.

"Earnings per diluted common share for the full year of 2017 were positively impacted by \$0.10 due to gains on sales of bank equity investment securities, and negatively impacted by \$0.02 due to non-core charges and \$0.05 due to the recently enacted Tax Cuts and Jobs Act," according to a company release.

Arts Award: Heartland Bank and the J.M. Smucker Company are set to be recognized at the 2018 Arts Day & Governor's Awards for the Arts in Ohio ceremony in May.

They're among nine winners of the governor's awards for supporting the arts. Heartland Bank is to be recognized in the category of small businesses that support the arts and Smucker's will take home the award as a large company that supports the arts.

"The 2018 Governor's Awards winners are true innovators and leaders in their communities. They exemplify Ohio's creative and forward-thinking spirit. On behalf of the Ohio Arts Council, I congratulate this year's group of individuals, organizations, and businesses on earning our state's most prestigious artistic and cultural achievement," said Donna S. Collins, executive director of the Ohio Arts Council.

Gongwer Unveils Text Alerts for Bill Tracking, Breaking News, Other Messages

Gongwer News Service today launched new services that allow subscribers to receive bill tracking alerts, breaking news updates and other key Gongwer products via text message.

To activate text alerts, subscribers should log in to their accounts, click on their name in the banner and select Update Profile. Next, enter your mobile number and carrier, and select the alerts and messages you want to receive via text. Once your preferences have been set, click the Update button at the bottom of the box.

The system allows subscribers to request text notifications regarding the publication of the Gongwer *Ohio Report*, breaking news updates, media clips and legislative floor reports. Subscribers can also request real-time bill tracking alerts or a daily summary of activities on all bills that are being tracked.

Alert preferences can be changed at any time.

Due to limitations on the size of text messages, all text-based alerts will include a summary of the message received and a link to the full content of the message.

The new services are available to subscribers at no additional cost.

All Gongwer accounts include access to the leading bill tracking system that offers real-time alerts on legislation of interest. Subscribers can track by bill number, keyword, sponsor and Revised Code section and can also receive alerts based on legislative activity, committee scheduling and subject area. All bill tracking features, which include customizable bill status reports that can be shared with members and clients, are available on Gongwer's Bill Tracking page.

For questions about Gongwer bill tracking services, contact Gongwer at gongwer@gongwer-oh.com or 614.221.1992.

Governor's Appointments

State Speech and Hearing Professionals Board: Lisa A. Froehlich, PhD of Lebanon for a term beginning January 23, 2018, and ending March 22, 2020.

State Board of Cosmetology: Jessica Price-Kovach of Galloway for a term beginning January 23, 2018, and ending October 31, 2021.

Cuyahoga Community College Board of Trustees: Andrew E. Randall of Cleveland for a term beginning January 23, 2018, and ending October 12, 2022.

Supplemental Event Planner

Wednesday, January 24

Rep. Scott Lipps (R-Franklin) and Rep. Thomas West (D-Canton) and Ohio Pharmacists' Association news conference on prescription drug legislation, Press Briefing Rm., Statehouse, Columbus, 11:30 a.m.

Thursday, February 15

Kevin Bacon (R-Candidate 12th Congressional District) fundraiser, Onda, Labuhn, Rankin & Boggs, 35 N. Fourth St., Suite 100, Columbus, 5 p.m., (RSVP to laura.bates.oh@gmail.com or 586.610.1040)

Wednesday, February 21

Ohio Alliance of Boys & Girls Clubs' Statehouse Reception, Statehouse Atrium, Columbus, 4:30 p.m.

Rep. Richard Brown (D-Canal Winchester) fundraiser, Club 185, 185 E. Livingston Ave., Columbus, 5:30 p.m., (Sponsor \$1,000, Host \$500, Friend \$250 to Citizens for Richard Brown. RSVP with Jenna Gravalis at 551-427-9895 or jgravalis@ohiodems.org)

Thursday, February 22

Kevin Bacon (R-Candidate 12th Congressional District) fundraiser, Medallion Club, 5000 Club Dr., Westerville, 6:30 p.m., (RSVP to laura.bates.oh@gmail.com or 586.610.1040)

Tuesday, February 27

Rep. Glenn Holmes (D-McDonald) fundraiser, Westies Gastropub, 940 S. Front Street, Columbus, 5:30 p.m., (Sponsor \$1,000, Host \$500, Friend \$250 to Committee to Elect Glenn Holmes. RSVP with Jenna Gravalis at 551-427-9895 or jgravalis@ohiodems.org)

Wednesday, February 28

Ohio Farm Bureau Ag Day at the Capital, Sheraton Hotel, 75 E. State Street, Columbus, 9 a.m.

Wednesday, March 7

Rep. Michael Sheehy (D-Oregon) & Rep. Michael O'Brien (D-Warren) fundraiser, Club 185, 185 E. Livingston Ave., Columbus, 5:30 p.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Committee to

Elect Michael Sheehy and Committee to Elect Michael O'Brien. RSVP with Jenna Gravalis at 551-427-9895 or jgravalis@ohiodems.org)

Tuesday, March 13

House Minority Leader Fred Strahorn (D-Dayton) fundraiser, The Walrus, 143 E. Main St., Columbus, 5 p.m., (Sponsor \$2,500, Host \$1,000, Guest \$500, Friend \$350 to Committee to Elect Fred Strahorn. RSVP with Amy Katrak at 614-420-1269 or akatrak@ohiodems.org)

Wednesday, March 21

Rep. Tavia Galonski (D-Akron) fundraiser, Westies Gastropub, 940 S. Front Street, Columbus, 5:30 p.m., (Sponsor \$1,000, Host \$500, Friend \$250 to Friends of Tavia Galonski. RSVP with Jenna Gravalis at 551-427-9895 or jgravalis@ohiodems.org)

Wednesday, April 11

Rep. Bernadine Kent (D-Columbus) fundraiser, Einstein Bros. Bagels, 41 S. High Street, Columbus, 8 a.m., (Sponsor \$1,000, Host \$500, Friend \$250 to Kent for Ohio. RSVP with Jenna Gravalis at 551-427-9895 or jgravalis@ohiodems.org)

Tuesday, May 15

Rep. John Rogers (D-Mentor-on-the-Lake) & Rep. John Patterson (D-Jefferson) fundraiser, Club 185, 185 E. Livingston Ave., Columbus, 5:30 p.m., (Sponsor Levels: Sponsor \$1,000, Host \$500, Friend \$350 to Friends of Rogers and Committee to Elect John Patterson. RSVP with Jenna Gravalis at 551-429-9895 or jgravalis@ohiodems.org)

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House Activity for Tuesday, January 23, 2018

INTRODUCED AND REFERRED

- HB 478** ■ **WIRELESS SERVICES** (Smith, R., LaTourette, S.) To modify the law regarding wireless service and the placement of small cell wireless facilities in the public way. Am. 4939.01, 4939.02, 4939.03, 4939.031, 4939.035, 4939.038, 4939.0311, 4939.0313, 4939.0315, 4939.0319, 4939.0321, 4939.0325, 4939.04, and 4939.08; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 4939.035 (4939.036), 4939.038 (4939.037), 4939.039 (4939.038), 4939.0313 (4939.0312), 4939.0315 (4939.0313), 4939.0317 (4939.0315), 4939.0319 (4939.0316), 4939.0325 (4939.0322), and 4939.0327 (4939.0323) and to enact new sections 4939.039 and 4939.0317 and sections 4939.0314, 4939.0329, and 4939.09, and to repeal sections 4939.032, 4939.033, and 4939.037
Government Accountability & Oversight
Gongwer Coverage

INTRODUCED

- HB 473** ■ **LOCAL FUNDING** (Young, R.) To credit additional amounts to the Local Government Fund to provide for payment to fire districts that experienced a 30% or more decrease in the taxable value of power plants located in the districts between 2016 and 2017 and to increase the appropriation to the Local Government Fund. Am. 5747.50 of the Revised Code and to amend Section 387.10 of Am. Sub. H.B. 49 of the 132nd General Assembly

- HB 474** ■ **LICENSE PLATE** (Antani, N.) To create the "Trees 4 Ohio" license plate. Am. 4501.21 and to enact section 4503.941

- HB 475** ■ **SKATEBOARDING** (West, T.) To prohibit a person riding a skateboard or the operator of a vehicle from attaching the skateboard or the rider to the vehicle and to name this act the "Dallas Swogger Act." Am. 4511.54

- HB 476** ■ **ORGAN DONATIONS** (Koehler, K.) To require the Registrar of Motor Vehicles and each Deputy Registrar to ask each person renewing a motor vehicle registration if that person wants to make a voluntary contribution to

the Second Chance Trust Fund. Am. 2108.34, to enact section 4501.027, and to repeal sections 4506.081, 4507.231, and 4507.501

HB 477 ■ **SCHOOL OPERATIONS** (Koehler, K.) To eliminate various provisions and programs related to the Department of Education and the operation of primary and secondary schools. Am. 109.57, 2917.46, 3301.133, 3302.26, 3313.71, and 3313.753 and to repeal sections 3301.073, 3301.0722, 3301.111, 3301.21, 3301.25, 3301.86, 3301.88, 3301.95, 3301.96, 3302.037, 3302.30, 3311.061, 3313.206, and 3313.711

CALENDAR FOR COMING SESSION

HB 172 ■ **MEDICAL RECORDS** (Schuring, K.) To modify the laws governing access to a patient's medical records.
Wednesday, January 24

HB 250 ■ **ELECTRIC BICYCLES** (Brinkman, T.) To establish requirements for the use of electric bicycles.
Wednesday, January 24

HB 332 ■ **ANATOMICAL GIFTS** (Antani, N.) Regarding anatomical gifts, transplantation, and discrimination on the basis of disability.
Wednesday, January 24


SCR 8 ■ **MISSILE DEFENSE** (O'Brien, S., Eklund, J.) A resolution to urge the United States Missile Defense Agency to select Camp Ravenna Joint Military Training Center in Ravenna, Ohio, as the preferred site for a future east coast Missile Defense system.
Wednesday, January 24


RE-REFERRED

HB 58 ■ **CURSIVE HANDWRITING** (Brenner, A., Slaby, M.) To require instruction in cursive handwriting.
Higher Education & Workforce Development


REFERRED

Armed Services, Veterans Affairs & Homeland Security:


SB 81  **FIREARMS (Terhar, L.)** To waive the concealed carry license fee for active members of the armed forces and retired and honorably discharged veterans, to accept military experience with firearms as proof of competency with firearms regardless of when the applicant for a license acquired the experience, to permit a licensee to renew a concealed handgun license at any time before the expiration of the license, and to require the Attorney General to monitor the number of license fees waived and cap the total amount allowed to be waived at \$1.5 million.


HB 468  **MILITARY LEAVE (Perales, R., Boyd, J.)** To grant full-time state employees paid leave for the purpose of attending medical examinations and appointments provided through the United States Department of Veterans Affairs.


Energy & Natural Resources:

HB 463  **WASTE FEES (LaTourette, S.)** To increase one of the state fees levied on the transfer or disposal of solid waste in Ohio, the proceeds of which are deposited into the Soil and Water Conservation District Assistance Fund, and to make an appropriation.

Government Accountability & Oversight:

HB 466  **ELECTIONS CYBERSECURITY (Clyde, K.)** To establish a Director of Elections Cybersecurity and an Elections Cybersecurity Council to advise the Secretary of State on securing Ohio's elections and preventing future threats.

HB 467  **ELECTION PROCEDURES (Clyde, K.)** To require the boards of elections to conduct audits of election results and, beginning in 2019, to use only voting equipment that produces voter marked and voter verified paper ballots.

HB 469  **TAX CREDIT (Schuring, K., Patton, T.)** To authorize a nonrefundable insurance company tax credit for contributions of capital to transformational mixed use development projects.

HB 471 ■ **OFCC AUTHORITY (Gonzales, A.)** To specify that the Ohio Facilities Construction Commission's powers do not extend to letting or administering contracts that fall under the power of the Department of Administrative Services to make changes to existing facilities.

Health:

SB 28 ■ **ABORTION (Uecker, J.)** Regarding final disposition of fetal remains from surgical abortions.

HB 464 ■ **STROKE PATIENTS (Lipps, S., Antonio, N.)** To provide for recognition of stroke centers and establishment of protocols for assessment, treatment, and transport to hospitals of stroke patients.

HB 465 ■ **MEDICAID DRUG BENEFITS (Lipps, S., Koehler, K.)** To provide for the prescribed drugs benefit to be delivered under the Medicaid program through the fee-for-service system.

State & Local Government:

HB 470 ■ **LIGHTING FUNDS (Edwards, J.)** To authorize a property tax levy specifically to fund lighting for roads and public places.

Transportation & Public Safety:

HB 472 ■ **ROAD NAMING (Cera, J.)** To designate a portion of State Route 164 in the Village of Bergholz as the "Pvt. David Rhoades Memorial Highway."

HOUSE SPEAKER'S APPOINTMENTS

Energy and Natural Resources Committee: Remove Rep. Vitale, effective January 22, 2018.

COMMITTEE HEARINGS

Finance

HB 281 **BROADBAND EXPANSION (Carfagna, R.)** To establish the residential broadband expansion program within the Development Services Agency to award matching grants for last mile broadband expansion in municipal corporations and townships and to make an appropriation. **(REPORTED-SUBSTITUTE (No testimony); 5th Hearing-All testimony-Possible substitute & vote)**

The bill was reported following the acceptance of a substitute version that included a handful of substantive changes along with other updates that sponsor **Rep. Rick Carfagna** (R-Westerville) described as dealing mostly with "semantics" and cleanup language to avoid redundancies. He said the Legislative Service Commission **Comparison Document** on the sub bill covers those changes as well as a series of amendments accepted at the committee's last hearing.

As explained by the sponsor, the more significant changes incorporated Tuesday include:

- Allowing local governments that decide to fill funding gaps on their own to avoid seeking county approval.
- The creation of a "challenge process" for requests-for-proposals with a five-day period for providers to question guidelines.
- Language dealing with the treatment of proposals that allow for the redaction of "trade secrets."
- Providing for alternative payment terms rather than mandating that providers do not get fully paid until the projects are completed.
- Removal of regulations of rates and pricing.
- Clarifying that providers are responsible for upkeep upon completion of the infrastructure.
- Clarifying that the assessments provided for in the legislation only apply to specific broadband projects.

Mr. Carfagna told the panel that 55 interested parties have been kept informed throughout the process of the more recent changes and there were no objections raised regarding the sub bill. "We're doing our best to keep people abreast of what we're trying to accomplish here," he said.

In answering questions from the panel, the sponsor said: the bill contains adequate protections regarding assessments and the process of determining unserved areas; and the substitute's elimination of language specifying monthly usage and "roundtrip latency" standards was aimed at avoiding any "micromanaging" of service providers.

The sponsor said in an interview that the bill provides for the Development Services Agency to use \$2 million every biennium from unencumbered funds, language that required the bill's approval by the Finance Committee.

Among members present for the vote, only **Rep. Jim Butler** (R-Oakwood) and **Rep. Mark Romanchuk** (R-Mansfield) were opposed to the report.

The latter lawmaker in an interview cited a 10-megabyte download standard, saying he didn't want to be paying for "old technology" and noting that satellite providers already exceed such speeds.

Financial Institutions, Housing & Urban Development

HB 182 **DEBT ADJUSTING** (Seitz, B.) Regarding debt adjusting. (REPORTED; 5th Hearing-All testimony-Possible vote)

Before the bill was reported, Betty Montgomery, an attorney representing the American Fair Credit Council, told the panel that it will not allow for the unauthorized practice of law.

"Case law - both within this state and at the United States Supreme Court - has given us some direction when trying to determine whether or not certain behaviors constitute the practice of law," the former attorney general said.

Ms. Montgomery said the legislation will allow debt settlement companies to operate in Ohio the same way non-profit credit counseling agencies have for decades - with no objection from the bar, she added.

"This bill provides an opportunity for both clarity and fairness: Should this bill pass and the industry begins engaging with business in Ohio, it undoubtedly will be challenged once again," she said. "The industry will then have an opportunity to have full hearings, presenting persuasive evidence and argument to the Ohio Supreme Court, the proper forum for clarification regarding whether or not the debt settlement industry is engaged in the unauthorized practice of law."

The bill was reported in an 8-5 vote, with Rep. Jim Hughes (R-Columbus) joining Democrats on the panel in opposition.

HB 386 **CREDIT FREEZES** (Henne, M., Kelly, B.) To modify the fees that a credit reporting agency can charge in relation to a credit report freeze.

(CONTINUED (No testimony); 4th Hearing-All testimony)

HB 390 **FORCIBLE ENTRY** (Merrin, D.) To clarify how to calculate certain timelines under which a forcible entry and detainer action must occur. (CONTINUED; 4th Hearing-All testimony)

Dan Acton, government affairs director of the Ohio Real Estate Investors Association, said the measure is intended to standardize eviction laws throughout the state based on previous court rulings.

The legislation, he added, is needed because the calculation of days varies by county.

"Our investor members sometimes own property in multiple counties and the idea of attempting to interpret local laws for a legal action that should be consistent across the state is a recipe for failure and can lead to more complications for all parties involved," he said.

Under the measure, for the purposes of eviction, calendar days would be counted instead of business days.

"In any other contract related to a property whether it is for utility services, taxes paid, mortgages, or insurance, the service provider, or the government counts calendar days. The calculation of days for eviction should not be any different," he said.

HB 432 **STUDENT LOANS (Boggs, K., Kelly, B.)** To require student loan servicers to be licensed by the Division of Financial Institutions and to create the position of student loan ombudsperson in the Division of Financial Institutions to provide assistance to student loan borrowers. H. B. No. 433 - Representatives Kelly, Brinkman. (CONTINUED; 1st Hearing-Sponsor)

Rep. Kristin Boggs (D-Columbus) said in sponsor testimony that student loan borrowers rarely have the opportunity to vet the company servicing their student loans.

"They are thrust into this relationship with a company that they did not necessarily agree to do business with, so the purpose of this bill is to prevent unscrupulous student loan servicing companies from taking advantage of student borrowers by misapplying payments or misrepresenting their practices," she said.

In addition to creating a student loan ombudsperson within the Department of Commerce, the bill would enhance oversight of student loan servicers operating in the state.

Fellow sponsoring **Rep. Brigid Kelly** (D-Cincinnati) said 11 other states have taken similar steps.

"We believe this bill will ensure student loan borrowers and their families receive levels of services and protection that are standard for other financial contracts, but not currently guaranteed under federal law for student loan servicers," she said.

"Notably, this legislation does not require banks or credit unions to obtain a license because similar federal regulations for these companies already exists. Our goal is to make the playing field even across the board, and make sure that Ohioans get the same level of services and protections regardless of who is servicing their student loans."

Asked by chairman **Rep. Jonathan Dever** (R-Cincinnati) about DOC's position on the bill, Rep. Boggs said those discussion have yet to take place.

Subscriber's Note: For full written testimony, see the [committee's website](#) under Jan. 23. **Energy & Natural Resources**

HB 393 **BRINE SALES (DeVitis, T., O'Brien, M.)** To authorize a person to sell brine derived from an oil and gas operation that is processed as a commodity for use in surface application in deicing, dust suppression, and other applications. (CONTINUED-AMENDED; 3rd Hearing-All testimony-Possible vote)

Rep. Jay Edwards (R-Nelsonville) won support for an amendment that requires the collection of samples, rather than making the collection optional. The change, he said, is expected to move the Ohio Environmental Council from an opponent to an interested party. Melanie Houston of the Ohio Environmental Council Action Fund followed that action with interested party testimony. She said the amendment represents a big step, but the group is still concerned about metals and radioactive materials.

She said the group supports the goal of recycling oil and gas brine outside of injection, but raised concerns that it doesn't include a process that ensures protection of public health, safety and the environment.

To earn the group's support, she said lawmakers would either need to require satisfactory test results regarding radiological materials and heavy metals or establish a regular testing protocol by a lab equipped for those tests.

"We understand that this is a tall order," she said. "We understand that the company is a small business owner in northeast Ohio with a product that works well to treat ice and snow on our roads, and we appreciate the need for safe car travel throughout the state. We understand that there are competing public health priorities and that de-icing roads is essential to keep our communities safe and functioning throughout the winter months."

"The OEC Action Fund understands that you also may prioritize the public safety goal of adding another deicing product to the market over the public safety goal of minimizing radiological and heavy metal content that is brought to the surface through resource extraction."

She also called on lawmakers to have the manufacturer demonstrate that the product is safe and is not radioactive.

"While we have heard about the efficacy of the product to treat ice and snow, we have not yet seen the lab analyses to demonstrate that there are not NORM or heavy metals present in the product," Ms. Houston added.

Rep. Dick Stein (R-Norwalk) asked whether the group is opposed to the current use of the product on some roads across the state.

Ms. Houston acknowledged that the product is being used, but said the authorization came from a divisional order rather than the enactment of law. She said passage of a bill could lead to much wider use, including sales for personal use.

Rep. David Leland (D-Columbus) asked how long the product has been in use in Ohio.

Ms. Houston said it dates to about 2004, when an order was issued by the chief of the Division of Oil & Gas. She told Mr. Leland she does not have any data about the condition of soil near where the product has been used, but said DNR may have that information.

Bill Rish of ToxStrategies lent support for the bill, telling the panel that Nature's Own and Duck Creek Energy asked him to consider whether the use of AquaSalina for deicing roads present significant ecological or health risks.

He said his research has shown that the product will not create unacceptable ecological or human health risks and has impacts that are much lower than the use of rock salt.

"I found that laboratory data demonstrate that the use of AquaSalina will not result in exceeding Ohio surface water criteria for protection of aquatic species or protection for agricultural use of surface water for any of the substances present in the product," he said. "I also found that laboratory data for the content of AquaSalina, when compared to my published study, show that AquaSalina will not result in risk to drinking water, even if an adult or child drinks from a shallow well near the location that AquaSalina is applied. In fact, I expect that this drinking water pathway is unlikely to exist."

That process included a review of third-party and independent certification agencies, as well as academic institutions and the Pennsylvania Department of Environmental Protection, he said, adding that the Pennsylvania-style brine has much higher radiological levels than AquaSalina.

Responding to questions, Mr. Rish said studies have shown that even a person who would be most exposed to the product from all potential channels would likely only reach 1/100th of a what would be considered a maximum acceptable level.